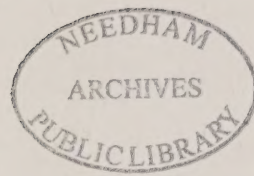


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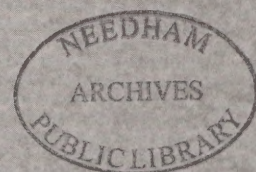


1998

ANNUAL TOWN REPORT



High School, Needham, Mass.



NEEDHAM, MASSACHUSETTS

RETIREMENTS:

Name	Department	Years of Service
Louis Antonellis	Municipal Building Maintenance	10
Betty Clements	School Department	23
Stephen Cronin	Municipal Building Maintenance	10
Dario Ferreri	Public Works	27
David Greenwood	Public Works	14
Susan Hurley	Glover Hospital	13
Robert Jiminez	Fire Department	20
Mary Ellen Johnson	Town Hall	18
Charles Keith	Public Works	35
George Lawson	Glover Hospital	18
Louise MacLean	Town Hall	18
Charlotte Mastromatteo	Glover Hospital	14
William Matthes	Police Department	37
Ian McLaughlan	Needham Housing Authority	15
James Miller	Municipal Building Maintenance	40
Raymond O'Neal	Municipal Building Maintenance	33
Lauretta Pippo	Town Hall	10
Richard Rolanti	Police Department	26
Eileen Ryan	School Department	14
Suzanne Skolnick	Glover Hospital	18
Charles Smith	Glover Hospital	12
Marie Sussenguth	Glover Hospital	15
Eric Sutherland	Municipal Building Maintenance	14
Wayne Urquhart	Police Department	32
Jack Vandenburg	Public Works	24

IN MEMORIAM:

Stephen Barrett	Glover Hospital	21
Charles Boston	School Department	15
Margaret Doty	School Department	8
Robert Fitzgerald	Fire Department	17
William Hanson	Fire Department	40
Hermence Hopkins	Town Hall	14
John Kelly	Fire Department	26
John Kennedy	Public Works	16
Mary Lorimer	Glover Hospital	12
Rose Mackenzie	Town Hall	30
Minot MacDonald	School Department	38
Francis Mallin	School Department	14
Edith McDaniel	School Department	28
Virginia McMullin	School Department	15
Jennie Morganti	Glover Hospital	16
Barbara Shibles	Town Hall	11
Annie Small	Town Hall	9

Town Report Committee	Jane A. Howard and Carl F. Valente
Photographer	David Rains
Yellow Pages	Compiled by Camilla Broderick
The Emery Grover Building: A Centennial	Henry Hicks

Appreciation is extended to Camilla Broderick for her work on the Yellow Pages, Henry Hicks and Polly Attridge for writing and compiling materials on the Emery Grover Centennial, and Theodora K. Eaton, the staff of the Town Clerk's Office and the department head and committee chairs for their assistance with the compilation of the lists in the Reference Section.

THE EMERY GROVER BUILDING: A CENTENNIAL

ast Needham High School started in 1864. Classes were small hence space was found in rented areas or at the local elementary school. The separation of West Needham in 1881 resulted in the loss (to Needham Heights) of the Town Hall and half of the schools. By the 1890's transportation had improved, the population was expanding, and the Town needed a Town Hall as well as a high school. The choice was made to build the high school first.

At that time, the high school was housed on the third floor of the Kimball Grammar School, (the present site of the Fire/Police Station). When a separate building was sought, a dispute developed over location between the two major divisions of the town, the Great Plain Village and Needham Heights, and involved personalities, some cultural differences, and of course, tax issues. The bitter controversy was ended by the offer of a prominent landowner, John Moseley, to give the town land on Highland Avenue. A new committee selected the firm of Whitman and Hood as the architects. Unfortunately, a previous committee had signed a contract with another firm which resulted in Needham's paying that firm nearly \$600 for plans that were never used.

The Chronicle of August, 1898 welcomed the new high school building with the following summary:

The new high school building, for which \$30,000 was appropriated, erected on a lot of land donated by John Moseley, is now receiving the finishing touches and will be dedicated next Thursday afternoon. It is built of buff brick with granite trimming and a hip roof covered with blue monson slate in the colonial style of architecture with classic details, ornamented with arches, porches, cornices, and panels. The outside dimensions are 66 X 102 feet. There are spacious entrances, in the centre and so at each end. The basement contains the heating and ventilating apparatus, manual training room, bicycle and janitor's rooms, and sanitariums.

On the first floor the main corridor runs from end to end with wardrobes. On the sides are three class rooms, superintendent's, committee's, teachers' and principal's rooms.

On the second floor there are two class rooms, a recitation room, and an assembly hall with 14 foot studs, seating 175. A room here will be used for a library room.



Emery Grover Building, circa 1990

The third floor is for the laboratories and contains two dark rooms.

The building committee are A.W. Pope, Chairman, J.W. Titus, H., S. Locke, F.deM Dunn, and H. M. Walradt, Secretary.

The architects were Whitman and Hood, the general contractors F.G.

Coburn & Co., the heating and ventilating by the Walworth Construction and Supply Co., plumbing by Charles D. Keiser, all of Boston, and the electric wiring by the Greendale C. and E.L. Co.

The fine program clock was the gift of F. P. Glover, and the lanterns on either side of the main entrance were given by A.W. Pope."

The 1898 Town Report contains this brief statement:

"To the Inhabitants of the Town of Needham: The committee entrusted with the duty of erecting a new high school has performed that duty, and the result of their labors has already been subjected to your inspection. The building is large enough to meet the needs of many years to come. It is well adapted to the purposes for which it was designed. Its exterior appearance is attractive, although rigid economy of ornament was imposed by the limits of the appropriation for its construction. It has been visited by many persons acquainted with high school architecture and construction and declared to be unexcelled by any other high school building erected in Massachusetts for an equal amount of money.

Your committee takes pleasure in announcing that the expense of the building has been kept within the appropriation of \$33,000, as appears by the figures here submitted."

Unfortunately, the same town report contains a forty seven page minority report concerned with the thoughts of one member of the building committee who found fault with the majority of the committee.

The new high school was to prove a success, with a graduating class of 15 in 1899. Three distinct curriculums were introduced; college preparation, English or German, and laboratory work in physics and chemistry. It met the Harvard requirements for high schools and earned an ever increasing amount of community interest and support.

By the end of the century the statistics of the Massachusetts State Board of Education placed the school in the front ranks of high schools with populations of approximately 100 students. With three teachers and 102 pupils, 3600 hours of instruction were offered. Three young people went on to college and two to normal school. Its success may also be measured by the fact that within twenty years it could not contain its student body. The combination of good transportation (the trolley car came to Needham in 1898), a varied and prosperous downtown, a thriving knitting industry, and good schools attracted people to our town. Not the least of the attractions - then as now - was the High School.

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BOARD OF SELECTMEN TOWN ADMINISTRATOR/PERSONNEL ADMINISTRATION



John Cogswell, Chairman, John D. Marr, Jr., Daniel P. Matthews, Paul Theodore Owens, William Powers, Carl F. Valente, Town Administrator, Kate Fitzpatrick, Personnel Director

THE BOARD OF SELECTMEN IS RESPONSIBLE FOR:

- Implementing and administering the decisions of Town Meeting (the Town's Legislative branch of government);
- Establishing policies and procedures for the coordination of Town government operations;
- Representing the interests of Town residents in a variety of forums including: business dealings, legal affairs, and inter-governmental cooperation with other municipal, county, state, and federal agencies;
- Preparing the Town's official revenue projections to be used by the Finance Committee and Town Meeting in developing the Town's operating budget.
- Proposing to the Finance Committee operating budgets for those departments under the Board's control;
- Proposing to Town Meeting a five-year capital improvement plan and funding proposal;
- Making appointments to those Town Boards and Commissions under its control;
- Convening the Annual Town Meeting and any Special Town Meetings that may be required and preparing the Warrant (listing of Articles) for Town Meeting consideration;
- Licensing all food establishments and transportation companies; and
- Administering the Town's personnel policies as adopted by the Personnel Board and Town Meeting, and negotiating collective bargaining contracts with seven bargaining units.

BUDGETARY DATA:

No. of Employees	Expenses	
Selectmen	5	Salaries \$290,524
Town Administrator	1	Purchase of Ser. 117,227
Assistant Town Admin.	1	Expenses 17,261
Admin. Support	4.5	Capital Outlay 3,980
	Total	\$428,992

FY98 HIGHLIGHTS:

Selectmen: In April 1998, Daniel P. Matthews was reelected to a three-year term on the Board of Selectmen. -- Following the annual town election, John Cogswell was voted Chairman, William Powers, Vice Chairman, and Ted Owens, Clerk of the Board.

Financial: The Town continued to maintain its strong financial position in FY98. Needham maintains a "AA" bond rating with Standard and Poors. The Town sold \$ 3,570,000 in 10 year bonds in June at an interest rate of 4.5 percent, indicative of our strong credit rating. The Board of Selectmen continues to look for non tax revenue sources to augment tax revenues and for new ways to streamline Town services. Even with the Town's strong financial condition, the Selectmen continually review revenue

options, given the property tax raising constraints of Proposition 2½. With an increasing school population and an aging infrastructure, Needham's overall revenue growth of approximately 4 percent per year is not sufficient to maintain existing service levels. As a result, the Board of Selectmen voted to place a Proposition 2½ Debt Exclusion Override on the April 1998 ballot to fund the capping the Town's landfill, which closed in December 1997. The debt exclusion, which was for \$2,500,000, was approved by the voters. This debt exclusion, added to the approximately \$2,000,000 that the Selectmen had set aside in reserves, will be sufficient to fund the approximate \$4,500,000 cost of capping the landfill.

Capital Planning: In January 1998, the Board of Selectmen and Town Administrator proposed a \$ 6,906,050 Capital Improvement Plan (CIP) to the Finance Committee and Town Meeting. The CIP is the Town's long-range financial plan with a goal of providing for the upkeep of Town facilities and equipment. The FY99 CIP approved by Town Meeting included: repairs to various Town buildings, renovations to the High School and High Rock School grounds, computer upgrades, replacement of a fire engine, wastewater and storm sewer repairs, and a variety of equipment for the Public Works Department.

Personnel Administration: There were a number of accomplishments during the year including: the implementation of a classification study for professional and technical staff; the organization of a variety of training events for department managers; the development and implementation of a performance evaluation system for public works staff; and the implementation, in conjunction with other departments, of Around Needham, a public information column in the Needham Times.

FY99 FORECAST

The primary issues and objectives for FY99 include:

1. The Board of Selectmen continues to devote considerable time to examine ways of balancing the Town's limited growth in revenues with the increasing demands for services. To assist the Finance Committee and Town Meeting in looking at the Town's long range financial picture, the Selectmen have proposed that the Finance Department prepare a five-year revenue and expenditure forecast. Managing the Town's limited financial resources is complicated in light of education reform, limited increases in State aid, and projected increases in fixed costs, MBTA assessments, and general Town and school operations. The Town's ability to provide for the health, safety and educational needs of residents will be a key issue, even given current economic conditions.

2. A key decision facing the Selectmen and the Town relates to the renovation and expansion of Town Facilities. At the November 1997 Special Town Meeting, \$85,000 was authorized for the Selectmen to conduct a comprehensive facility study of all Town buildings.

GENERAL GOVERNMENT

The Selectmen created a study committee to work with a consultant on this project. Recommendations are to be brought to the Selectmen early in 1999. These recommendations will then be factored into the Town's capital improvement plan. It should be noted however, that the Town is facing the construction of one or two new schools and the renovation and expansion of a number of other buildings including the Town Hall, DPW building, Library and Senior Center. The Town's willingness and ability to fund these critical building projects will be a primary issue for the Selectmen during the year.

3. Completion of the redesign of the Chestnut Street parking area to include the expansion of the parking lot and the creation of a pedestrian mall on Chestnut Road.

4. Completion of a staffing analysis and funding plan for the Police and Fire departments.

5. Continuing the implementation of a coordinated building maintenance program through the Municipal Building Maintenance Board.

The Town Administrator chairs this Board.

6. Entering into a group purchase agreement for electricity as allowed under the State's electric deregulation laws.

7. Completion of the wastewater and water master plans. These master plans will provide the Town with an operational blueprint for rehabilitating the wastewater collection and water distribution system of the next 10 - 20 years.

8. Completion of an analysis to determine the feasibility of shifting the debt portion of the Town's water and sewer operations to the property tax.

9. Conducting a review of the new pay-per-throw trash disposal program, and identifying opportunities for expanding the number of items that can be recycled.

10. Negotiating the wage portion of the collective bargaining contract with AFSCME union (custodians and maintenance staff) for

FY2000.

11. Updating the Town's Affirmative Action Plan.

12. Conducting a classification and compensation analysis of the positions in the Municipal Building Maintenance Department.

13. Developing and implementing an employee performance evaluation system in the Police and Fire Departments.

ACKNOWLEDGMENTS

The Board of Selectmen wishes to thank Town staff and the many citizens, volunteer committee members and others whose invaluable contribution of time, energy and talent makes it possible for Needham to maintain a well-managed, civic-minded community. At the end of this Annual Report you will find a list of the many individuals who have served the Town this past year. Residents wishing to volunteer for any board or committee appointed by the Selectmen should send a letter of interest to the Selectmen's Office at Town Hall.

TOWN CLERK



Theodora K. Eason

The Office of the Town Clerk can be compared to a hub about which the wheel of local government revolves. The spokes of the wheel represent the various boards, departments and committees within the government to which the Town Clerk relates in a direct way. The rim of the wheel represents the many segments of State and County Government from which many of the Town Clerk's official duties and responsibilities stem.

The official duties and responsibilities of the Town Clerk are spelled out in over 73 Chapters and 400 sections of the Massachusetts General Laws as well as local Town By-Laws. Those pertaining to Elections and Town Meeting are the most complex with amendments to the State statutes made yearly. The Town Clerk is the official record keeper for the town and records all official business conducted at Town Meetings and elections, both of which are recorded in the Annual Town Clerk's Records. Planning Board and Board of Appeals decisions, vital statistics, business certificates, federal and state tax liens, Uniform Commercial Code filings, Fish & Game Licenses, gasoline licenses, dog licenses - to name a few - are all recorded in the Town Clerk's Office.

During Fiscal Year 1998, the following elections and Town Meetings were held:

Special Town Meeting

Monday, November 17, 1997

Annual Town Election

Monday, April 13, 1998

One Precinct Election

(To Break The Tie Vote in Precinct G for write-in candidates for Town Meeting Member)

Tuesday, April 28, 1998

Annual Town Meeting

Monday, May 4, 1998

Special Town Meeting

Wednesday, May 6, 1998

The Special Town Meeting in November disposed of 20 articles in one session. The Annual Town Meeting in May disposed of 90 articles in five sessions, and the Special Town Meeting within the Annual Town Meeting disposed of 7 articles.

Budgetary Data		No. of Employees	
Personal Services	\$88,144	Full Time	3
Purchase of Service	4,050.	Part Time	0
Expenses	2,275.		
	<u>\$94,469.</u>		

FY1998 HIGHLIGHTS:

With only one election in Fiscal Year 1998 - the Annual Town Election - the Town Clerk's Office had a reprieve before the Fiscal Year 1999 Fall Elections. This time gave the office a chance to compare the Town's census with the state's census in order to discontinue updating both systems. The Office is now relying

100% on the State's Central Voter Registry. In an effort to make the state's system more productive and user friendly, we have downloaded and expanded the census extract into a database where frequently requested reports are being created. This expansion continues to require time and training. The restoration of a preservation project of the Town's public records dating back to the early 1700's continues with additional volumes scheduled for completion in the Fall of 1998. On a personal note, the Assistant Town Clerk, Louise MacLean, retired after 18 years of service to the Town. We wish Louise a happy and healthy retirement.

The following statistics were compiled during Fiscal Year 1998:

VITAL STATISTICS

Births to Residents:

7/1/97 - 12/31/97	191
1/1/98 - 6/30/98	<u>155</u>
Total Needham Births	346

Deaths: Residents Non-Residents

7/1/97 - 12/31/97	159	106
1/1/98 - 6/30/98	<u>141</u>	<u>101</u>
	300	207

Total Deaths Recorded: 507

Marriages:

7/1/97 - 12/31/97	102
1/1/98 - 6/30/98	<u>59</u>
Total Marriages Recorded:	161

GENERAL GOVERNMENT

Fish and Game Licenses Issued: 1997 - 6/30/98

ss F1 - Resident Fishing	195
ss F2 - Resident Fishing Minor	5
ss F3 - Resident Fishing, Age 65 - 69	12
ss F4 - Resident Citizen Fishing Handicapped	32
ss F6 - Non-Resident Fishing	7
ss F7 - Non-Resident Fishing 3-Day	2
ss F8 - Resident Fishing 3-Day	4
ss T1 - Resident Trapping	0
ss T2 - Resident Trapping Minor	0
ss T3 - Resident Trapping, Age 65-69	0
ss DF- Duplicate Fishing	1
ss DT - Duplicate Trapping	0
ss H1 - Resident Citizen Hunting	41
ss H2 - Resident Citizen Hunting, Age 65 - 69	2
ss H3 - Resident Citizen Hunting, Paraplegic	0
ss H4 - Resident Alien Hunting	1
ss H5 - Non-Resident Hunting, Big Game	0
ss H6 - Non-Resident Hunting, Small Game	1
ss H7 - Non-Resident Hunting, COM.SHG.PR.	0
ss H8 - Resident Citizen Minor Hunting	1
ss S1 - Resident Sporting	52
ss S2 - Resident Sporting, Age 65 - 69	2

Class S3 - Resident Citizen Sporting Over 70	23
Class DH - Duplicate Hunting	0
Class DS - Duplicate Sporting	1
Class M1 - Archery Stamp	21
Class M2 - Massachusetts Waterfowl Stamps	21
Class M3 - Primitive Firearms Stamp	21
Class W1 - Wildland Conservation Stamp (Resident)	324 (Inaugurated 1/1/91)
Class W2 - Wildland Conservation Stamp (Non-Resident)	10 (Inaugurated 1/1/91)
TOTAL	779

**Paid to Division of
Fish & Game for Licenses: \$9,753.25**
Paid to Town Treasurer in Fees: 494.45

Dog Licenses Issued: 7/1/97 - 6/30/98	
Male and Female Dogs @ \$15.	171
Spayed and Neutered Dogs @ \$10.	1536
Transfers @ \$1.00	5
Kennels @ \$ 25.	18
Kennels @ \$ 50.	8
Kennels @ \$100.	2
Seeing Eye Dogs - No Charge	0
Hearing Dogs - No Charge	0
Prior Years' Licenses	21
Replacement Licenses	15
TOTAL	1768

Paid to Town Treasurer for FY1998

Dog License Fees:	\$19,205.00
Other License Fees:	30,897.00
Miscellaneous Fees:	44,873.42
Total Receipts for FY1997:	\$105,223.12

The Town Clerk's Office is oriented to serve the public and is open daily from 8:30 A.M. until 5:00 P.M. Monday through Friday and from 7:30 P.M. until 9:00 P.M. on the second and fourth Tuesday evenings except for July and August when the office is open from 7:30 P.M. until 9:00 P.M. on the third Tuesday.

FY1999 FORECAST:

With three elections scheduled for Fiscal Year 1999 (the State Primary, the State Election, and the Annual Town Election) as well as a proposed Fall Special Town Meeting, the Town Clerk's Office will have a full agenda. A Special Town Meeting is rumored for November, 1998 along with the regularly scheduled 1999 Annual Town Census, the Annual Town Election, and the Annual Town Meeting. Comparison and review of the street addresses and census maps will commence in the Fall of 1998 in cooperation with the Massachusetts Office of the Federal Census in preparation for Census 2000. And last but not least, the restoration and preservation project will continue with the decedification of one or two of the Town's public record volumes dating back to the early 1700s.

BOARD OF REGISTRARS



John W. Day, Barbara Doyle, Mary J. Mc Carthy, Theodora K. Eaton



compilation of the Annual Listing of Residents (Town Census), publication and circulation of the voting and street lists, certification of signatures on nomination papers and petitions, and recording Town Meeting attendance.

Budgetary Data	No. of Employees
Personal Services \$55,600.	Full Time 1
Purchase of Service 15,000.	Part Time 4
Expenses 1,550.	
Canvassers & Tellers 7,150.	
\$79,300.	

FY1998 HIGHLIGHTS:

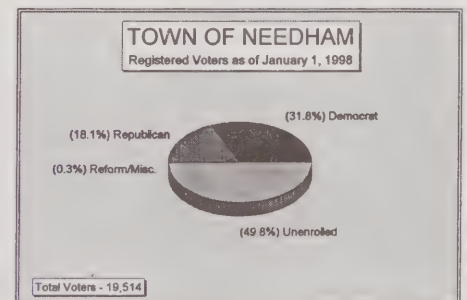
Voter turnout for the Annual Town Election in Fiscal Year 1998 was as follows:

April 13, 1998 Annual Town Election 2,931 (15.69%)

The Annual Listing of Residents was conducted by mail again this year with 85% of the residents responding within the first month. Census follow-up was conducted via telephone and police visitation. Once again this year, a dog license application was included in the census and was well received by dog owners. In accordance with Massachusetts General Laws a list of dog owners was also compiled.

Upon completion of the local listing, confirmation notices were sent to all those registered voters who were not reported as living in

Needham on January 1st. Those voters who proved residence were reinstated; those voters who responded with notification of a residence outside of Needham were removed from the Voting List; and those voters who did not respond to the confirmation notice were placed on the inactive voting list in compliance with the new Motor Voter Bill. Names were also removed because of death and other changes in voting status. Upon completion of the revision, the total number of registered voters was 19,514.

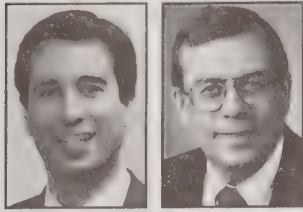


FY1999 FORECAST:

State Primary	- September 15, 1998
State Election	- November 3, 1998
Fall Special Town Meeting	- November 16, 1998 (Proposed)
Annual Town Census	- January 1, 1999
Annual Town Election	- April 12, 1999
Annual Town Meeting	- May 3, 1999

GENERAL GOVERNMENT

PERSONNEL BOARD



Richard Creem, Chairman, William J. Miles; Not pictured: James Brierly, Vivian Hsu, Richard Perras

PURPOSE:

The Personnel Board is made up of five members appointed by the Town Moderator for a term of three years. Under Needham's Consolidated Personnel by-law, the Board is charged with maintaining the personnel system of the Town through annual formulation of a classification and compensation plan, institution of staffing controls, establishment of recruitment standards, and adjudication of personnel grievances. In addition, the Board promulgates administrative orders to further the purposes of the Consolidated Personnel by-law and monitors administration of the by-law by the executive branch of the Town's government. As a standing committee of Town Meeting, the Personnel Board advises the executive branch on collective bargaining issues and makes recommendations to Town Meeting relative to by-law changes and collective bargaining agreements. The Personnel Board continues to strive for personnel policies and compensation plans that are fair and equitable to Town employees and mindful of the financial constraints faced by the Town.

BUDGETARY DATA:

No. of Employees	Expenses for FY98
number of	salaries 1,733
full-time employees 0	Part-time Recording Secretary)
number of	merit program
part-time employees 1	pool 7,500
	purchased services 2,500
	expenses 0
	capital outlays 0
	total 11,733

FY '98 HIGHLIGHTS

Among its many accomplishments, the Board:

- continued its ongoing program of reviewing the classification and compensation of all titles in the Town service at a minimum of five year intervals by:
- hearing employee appeals of the Administrative and Support study that was approved by Town Meeting in 1997;
- completing classification studies of Management Titles and the Professional and Technical Titles and making recommendations thereon to Town Meeting, which recommendations were adopted.
- concluded its work with the Office of the Town Administrator on an in-house pilot program to analyze the staffing of the DPW administration and the Treasurer's office by making changes in the configuration of jobs and grades in or order to meet service needs, which changes were approved by Town Meeting.

- in keeping with the its goal of granting n represented personnel the same benefits equivalent positions covered by collect bargaining, studied and recommended Town Meeting, and Town Meeting adopt amendments to the Consolidated Personnel By-law.
- continued its re-examination of the Board policies regarding compensation for elect non-full time positions within the Town service.
- heard several requests for reclassification various positions within the Town service
- heard several requests to authorize hiring above the minimum step.
- heard and approved one request for a merit bonus and one request for a merit step increase under the Board's merit compensation program.
- heard testimony and rendered decisions relative to employee grievance appeals.

FY'99 FORECAST

- continue to take a more pro-active role in the Town's collective bargaining process.
- adjudicate employee appeals of Professional and Technical classification study.
- conduct a first-time classification and compensation study of the Municipal Building Maintenance titles, make appropriate recommendations thereon to Town Meeting, and order to comply with the Town's by-laws, as well as to reduce reclassification requests. continue with the following classification study schedule:

FY97: Administrative/Support Titles

- FY98 Appeals: Nine employee appeals heard, one granted and one referred to Professional/Technical Titles study.

FY97-98: Management Titles

FY98: Professional and Technical Titles

- FY99 Appeals: Any granted appeals shall be incorporated into the Board's 1999 Classification and Compensation Plan.

FY99: Municipal Building Maintenance Titles

(never before studied as these positions were formerly within the School Department)

FY00: Department of Public Works Titles

- Undertake in-house staffing analyses of additional Town departments and make appropriate recommendations to Town Meeting.
- Continue to review the role of the Personnel Board vis-a-vis the present structure of Needham Town government and provide testimony to the Town Government Review Committee as requested.



Emery Grover Building, circa 1980

LEGAL DEPARTMENT



David S. Tobin, Town Counsel

PROPOSE

The Legal Department of the Town of Needham provides legal advice to the Town departments, attends all sessions of Town meetings, all Selectmen's Meetings and meets with other boards when requested. The Legal Department drafts and approves all contracts when requested, represents the Town in the courts and before administrative agencies and assists in the drafting of legislation, by-laws and regulations.

BUDGETARY DATA

Salaries	\$ 51,043
Penses	\$ 3,957
Purchase of Services	\$164,909
Full Time Employees 1 Part Time Employee	
Total	\$219,909

1998 HIGHLIGHTS

During Fiscal Year 1998, commencing July 1, 1997 and ending June 30, 1998, in addition to the advice given to Town officials on a daily

basis, Town Counsel negotiated, drafted, approved, interpreted and/or assisted in resolving conflicts with respect to numerous contracts for the Board of Selectmen, Finance Department, Permanent Public Building Committee, Municipal Building Maintenance Board, School Department, Department of Public Works, Park and Recreation Commission, Personnel Department, Planning Board, Council on Aging, Board of Health, Police Department, Board of Assessors, Conservation Commission, Sewer Department, and Water Department.

Among the contracts Town Counsel worked on were contracts for the ongoing design and renovation of the Newman School, renovations to the Mitchell School, design and construction of the modular classrooms at the Hillside Elementary School, A.D.A. improvements to the Needham High School, design and construction of the new recycling center building located at the Central Avenue Landfill, environmental engineering, design work and construction for the closing of the Needham Landfill, design and construction of the Water Treatment Plant, and numerous other contracts involving road construction and procurement of materials and services for the Town.

In court and before various administrative agencies, the Legal Department represented the Town, its boards and/or officers and employees in cases involving challenges to orders and decisions issued by the Zoning Board of Appeals, the Conservation Commission, the Board of Assessors, the School Superintendent and the Department of Public Works.

The Legal Department assisted the Permanent Public Building Committee in its search for, and engagement of, Project Managers who oversee and manage the architect and construction contractor on the Newman School renovation as well as other construction projects throughout the Town.

The Legal Department, through special counsel, assisted the Selectmen, Town Administrator and Personnel Director in collective bargaining, labor disputes and civil service hearings. Special Counsel was engaged by the Legal Department to negotiate with Media One on its CATV license renewal and with RCN for a second CATV license in the Town. These negotiations are on-going.

Town Counsel sat as a member of the medical panel that reviews medical bills submitted for payment by former Town police officers and firefighters who have retired because of an accidental disability and the bills are related to the disability.

Finally, Town Counsel assisted in the preparation and review of all of the Warrant Articles and Motions for the 1998 Annual and Special Town Meetings.

FY '99 FORECAST

In Fiscal Year 1999 Town Counsel shall continue to provide quality legal services to the town agencies at a reasonable cost.

MODERATOR



Michael Fee

This past year was a very busy year for our legislative branch of town government. I was privileged to be reelected at the Annual Town Meeting in April. In May, Town Meeting members convened over five nights to address an excess of 90 Articles of great importance to

our town. While many issues were hotly disputed, Town Meeting Members and other participants treated each other with the respect and civility that has always been hallmarks of Needham's Town Meeting. As a result, discussion, debate and voting was accomplished with an efficiency that other towns strive in vain to achieve. As always, I am grateful for the highly motivated Town Meeting Members who take their responsibilities seriously and truly work to achieve the best possible outcome for our town.

I distributed a Town Meeting Handbook underwritten by the Richard Patton Melick Foundation to all Town Meeting Members.

The Handbook is the first comprehensive guide published for Needham's Town Meeting Members since 1969. The book is designed to educate Town Meeting Members and others about our procedures so that our Town Meeting continues to be the embodiment of efficient, participatory democracy.

As always, I welcome suggestions and any volunteers interested in one day serving on the Finance Committee, Personnel Board or any other committee.

EDUCATION
PUBLIC SCHOOLS



Susan Welby, Chairman; Paul Denver, Irwin Silverstein, Gerald A. Wasserman, Patricia Ruane Superintendent, Not pictured: Michael F. Hourigan, Jeffrey Simmons, John Ullian

PURPOSE

The School Department services the educational needs of this community, from pre-schoolers to senior citizens. Our primary function is to advance the learning and achievement of five to eighteen year olds in a comprehensive and sequential program of studies.

A community and school partnership that

- creates excited learners
• demands excellence
• fosters integrity.

While Needham's schools have always honored these values, they have not been clearly articulated previously. The Committee's intent, in making the values explicit, is to create deliberate dialogue, to challenge practice that does not reflect the values, and to guide a new generation of teachers, parents, and community members to excellence in the 21st Century.

During FY '98, Needham enrolled 4281 students in grades K-12 as follows: elementary (2174); middle (943); high (1164). Early childhood programs, mandated by Special Education, serviced another 48 children.

summer school program, on a fee basis, extends learning opportunities for students and accommodated 162 students during the summer of 1998. As the Town's primary education resource and asset, the School Department also recognizes its need to be responsive to other educational needs as defined by the community.

The Town, in turn, supports its schools with financial and human resources. Needham citizens, Town departments, and businesses are great partners to our schools. For example, a collaboration with Wingate, Deaconess-Glover Hospital, the Youth Commission, and the Schools' Guidance Department resulted in a two-stage parents' program that featured a Dr. Robert Brooks presentation on "Raising Resilient Children"

Wherever possible, the School Department is trying to match its purpose with community needs and values. In keeping with the Town's commitment to volunteerism, our high school students are expected to demonstrate community service, and gain credit for genuine work in the community.

How well are we fulfilling our purpose? Here are two indicators of our success. Average SAT scores and college placement remain strong:

BUDGETARY DATA

The Operational Budget for the School Department included:

Table with 2 columns: Category (Salaries, Purchase of Services, Expenses, Capital Outlay) and Amount (\$20,704,800, 2,598,100, 801,700, 370,000). Total: \$24,475,200.

This budget does not include the cost of building maintenance or employee benefits which are represented in MBMB and town personal budgets respectively. Similarly, it does not include capital projects or long-term debt incurred by the Town for facilities renovation.

Salaries comprise 85 percent of the FY budget. The breakdown is as follows:

A. Direct Service to Children

This category includes certified teaching professionals and support staff (nurses, counselors, psychologists, occupational and physical therapists, and social worker) who are paid on the professional salary scale. It also includes teaching assistants -- people in positions that do not require professional credentials and paid on a lesser salary scale.

Table with 2 columns: Position (Teaching/Nursing Staffs, Teaching Assistants) and FTE (318.85, 85.20).

B. Indirect Service to Children

This category includes non-teaching staff whose primary function is to supervise staff and manage the business side of the School Department. Support staffs assist the administrative staff in school offices and the central office.

Table with 2 columns: Position (Administrators, Secretaries, Other Support Staff) and FTE (25.80, 53.11).

SAT SCORES

Table with 3 columns: CLASS of 1997, CLASS of 1998, and SAT Scores (Verbal, Mathematics).

Table with 4 columns: CLASS of 1997, CLASS of 1998, and Outcomes (Four-year college, Two-year college, Non-college educational institutes, One year work then college, Other/No response) with percentages.

FY '98 HIGHLIGHTS

beyond the primary job of educating children in a safe environment on a daily basis, the Needham Public Schools has set long-term goals in six major categories. These goals, identified in FY '98, will continue for five years. They acknowledge that we have additional work to do if we are to realize fully our VISION of partnerships, excited learners, excellence, and integrity. These attitudes must be embraced and practiced by adults first, so children can learn by example.

TEACHING and LEARNING

Since Teaching and Learning are our main mission, this goal category is the focus of the most activity within the School Department.

District Accomplishments

Revised K-5 Science and Social Studies Curriculum. After two years of effort, our product is a coherent program that begins with a concept for each grade. For example, the Grade 4 focus is Evolution and Revolution. Each unit study poses three to five questions, whose answers lead to the learning of essential content and application of specific skills, as well as a deeper understanding of the conceptual theme. The result is a townwide program designed to be consistent, challenging, integrated with reading and writing, and easily communicated to parents and new teachers.

Developed and Introduced a Mandatory Literacy Course for All Elementary Teachers in Needham. This will, over time, guarantee consistent vocabulary and approaches to the teaching of reading, writing, speaking, listening, and their application in all content areas.

Improved the Elementary Schools' Ability to Provide Assistance to Students and Teachers Prior to a Special Education Referral. Thanks to training sponsored by the Special Education Department, all principals and building-based teams are implementing a new system of problem solving and strategy sharing that tries to address student needs before the needs become extreme. This Teacher Assistance Team (TAT) Teacher Support Team (TST) system is designed to use existing resources more effectively, and to save costs.

Extended Spanish Study to All Third Graders. Needham Schools received a three-year competitive federal grant that enabled us to move forward our elementary World Languages program Grade 3 for FY '98 and Grade 4 for FY '99. The Mitchell School pilot class completed Grade 5 Spanish, and students completed an individual assessment. The Pollard School has initiated a World Language program to receive these students and expand Grade 6 World Language to all 6th graders for FY '99. Without additional resources at the middle school, the teaching staff will split its time between Grades 5 and 7 during the 1998-99 school year.

Instituted an Elementary After-School Program (fee based) in All Elementary Schools. This program provided a variety of enrichment courses and activities in each school.

6) *Prepared Students and Faculty for the First Administration of MCAS Tests.* Teachers, students, and parents tried practice questions prior to extensive testing. Schedules for teaching were altered during May to accommodate large blocks of time for testing.

7) *Strengthened Technology Access for Students and Adults.* In partnership with both the state and Town, Needham Schools is on track with a Five-Year Technology Plan to prepare our students for a future that is about INFORMATION and its intelligent use. During FY '98, we identified proficiency skills for students at the end of Grades 2, 5, 8, and 12, and trained 97 teachers and administrators in summer Tech Camp.

8) *Expanded Opportunities for Students and Adults to Experience Cross-Cultural Exchange and Develop Active Anti-Racism Strategies.* Thanks to partial funding by the Needham Education Foundation, the "Dream Kids Ensemble" brought together 40 Needham and Boston elementary children and families for a Saturday arts program in Boston. "Affinity Groups" co-facilitated by METCO and Guidance staff at Hillside and Needham High School afforded interested white students and students of color (working in separate groups) an opportunity to learn about racial/cultural identity development, discuss race and racism, and learn strategies to become active anti-racists in their school and community. For adults, anti-racist course work and seminars have been highlighted in the district's *Staff Development Handbook*. All new teachers to Needham, as well as all administrators, are expected to participate. To date, approximately 70 teachers have completed graduate course work in this area. Optional offerings, such as singing in the Martin Luther King, Jr. Celebration Gospel Choir, are open to all community members — adults or students.

School Highlights

9) *Broadmeadow School* improved math program materials in Grades K-3, and coordinated the sequence of topics in K-5. The school's professional development partnership with Simmons College resulted in an exchange of people resources — full-time graduate interns at Broadmeadow, as well as opportunities for Broadmeadow teachers to work as adjunct college faculty members. The school's Health and Safety Committee established goals and expectations for all members of the school community. Using the acronym PRIDE, the school developed standards of behavior for Peace and safety, Respect, Inclusion, Diversity, and Encouragement.

10) *Eliot School* improved students' writing skills thanks to Needham Education Foundation (NEF), Parent/Teacher Council (PTC), and Massachusetts Cultural Council (MCC) funding that enabled teachers to collaborate with two resident experts — poet Steve Ratiner and artist Gwen Mann. Student art, plus writing, was displayed throughout the year, while student poetry was featured in "Smoke Signals," the school's literary publication.

11) *Hillside School* teachers examined their own teaching, observed their colleagues, and developed lessons that extend math learning for students who need more challenge. They also refined criteria for writing and worked with students to improve their use and clarity of writing in math and science, in anticipation of open-ended questions on the state tests. Every Hillside student contributed a piece of writing to "Kids' Chronicle," the school's annual publication. The school was awarded two NEF literature grants. The first, entitled "Through a Different Lens" will purchase classroom literature that is authored by people whose culture and point of view are different. Titles will be selected with the input of teachers and parents serving on the Family Outreach Committee. The second grant will train teachers and parents to manage "literature circles" for small groups of students.

12) *Mitchell School* used funds from an NEF grant to examine math program and materials, and organized both training and the purchase of a new math series to set the stage for a schoolwide math focus during FY '99. Improving citizenship skills (respect for self, others, and the environment) was a theme that involved students, teachers, and parents in developing guidelines for behavior in common areas of the school and its grounds. A triangle symbolized the three different types of respect, and students earned triangles for their practice of these skills. At year's end, a triangle quilt was completed for display in the Mitchell School lobby.

13) *Newman School* featured math course work for teachers, and piloted a new math program being introduced townwide. Teachers improved the assessment process by asking parents and students to identify goals and areas of interest prior to the review of each child's portfolio.

14) *Pollard School* changed leadership and began the task of examining the current instructional programs and support services for students and families versus desired levels of program and services. Recognizing some gaps, both short- and long-term strategies were introduced. For example, the shortage of after school opportunities resulted in an NEF funded survey of student interest, so responsive programs can be developed through the After School Activities Program (ASAP). On the short term, thanks to the dedication and commitment of parent and former School Committee member David Summergrad, more than 150 students participated in an original musical production called "Triassic Park." Proceeds from this fall show will underwrite future annual productions. In the spring, physical education teacher and high school lacrosse coach Paula Kelley offered an introduction to girls' lacrosse. Over 100 students participated! On the academic side, a promising program to provide adult mentors for our Boston students expanded to Grade 7, and plans to introduce a block schedule in Grades 6 and 7 were finalized for FY '99.

EDUCATION

15) *Needham High School* had as its main focus this year the completion of the self-study phase of the accreditation process for the New England Association of Schools and Colleges (NEASC). Committees of faculty, students, parents, and community members examined our school with respect to the ten Standards of Accreditation. These include everything from Curriculum and Instruction to Facilities, Finances, Support Services, and Community Involvement. A comprehensive questionnaire for each standard, including a summary statement, strengths, concerns, and recommendations, was prepared for a Visiting Committee from the Association. The High School's Steering Committee for the accreditation worked on the details of the self-study and prepared to host fourteen members of the Visiting Committee in November 1998. The report of the Visiting Committee will be completed by early spring of 1999 and will include specific commendations, as well as recommendations for improvement.

With respect to new programs and initiatives, three are noteworthy. First, the English Department introduced "Hooked on Books" through NEF funds. The goal is to increase literacy of low-performing ninth graders. Thirty-eight students read books accompanied by tapes and developed their understanding of literature through literary logs, presentations, and discussions. The students have responded enthusiastically to this program, and are enjoying their success as readers.

Second, the Fine and Performing Arts Department developed a revised computer-assisted design course, as well as a computer music course that allows students to compose and arrange music using both a keyboard and software.

Third, a seminar series organized for freshmen and sophomores by Karen Andrews was introduced to help students learn about life skills and issues, such as stress management, learning styles, alcohol use/abuse, test-taking strategies, course selection process, and internship and community service opportunities. Guidance Counselors, the Community Classroom Coordinator, the grant-funded Community Outreach Facilitator, and guest speakers serve as faculty. For FY '99, this program will develop a component for juniors and seniors.

B. LEADERSHIP

Every day, adults and students are expected to make intelligent decisions in the interest of Teaching and Learning. Support of this goal requires the setting of a direction and opportunities to practice and improve. We are looking to have more people try on leadership roles throughout the School Department. During FY '98 we:

1) *Approved a VISION Statement* to guide both behavior and decisions within the School Department. Dialogue that brings more people into an understanding of this VISION will continue in FY '99.

2) *Introduced a Leadership Strand of seminars/workshops* to the School Department's "Staff Development Handbook," as a means of helping interested adults acquire skills needed to take on new leadership roles.

3) *Reinvented the Superintendent's Student Advisory Council* to help students gain leadership experience. During FY '98, students designed and conducted a fund-raiser for the High School Athletic Program and raised approximately \$15,000, with the assistance of local Realtors hosting the students' phonathon.

4) *Designed a structure to align the efforts of School Committee, central office, school leaders, and School Improvement Councils* toward the improvement of student learning and achievement. The new structure will be used in FY '99.

C. COMMUNITY SPONSORSHIP

The "partnership" aspect of our VISION Statement is key under goal work in this category where we have:

1) *Expanded outreach and communication* to: Town Meeting members through a series of mailings; the business community -- monthly column in the Newton/Needham Chamber of Commerce bulletin; parents -- information brochures and coffees on facilities decisions; and the community -- regular features in the *Needham Times*, such as a monthly "Student Times" page coordinated by Chris Bezreh, and "Around Needham" column in collaboration with other Town departments. At each school, parents are regularly informed and included in community events/issues.

2) *Collaborated with Town Departments and Agencies for major projects*, such as Wellness initiatives within the Eliot School community, as well as a townwide Community Wellness Collaborative that links the School Department with Deaconess-Glover Hospital, the Needham Mental Health Coalition, the Park and Recreation Department, Needham Clergy Association, the Youth Commission, and the Department of Health; a June program designed by schools, parents, Park and Recreation, and Needham Extended Day Program to accommodate Newman students during an early close to the school year; partner programs between school children and senior citizens at the school (Broadmeadow's "Love is Ageless" program), or at senior facilities (North Hill and Avery Manor); a special high school unit on Understanding Town Government, which featured the Town Moderator, Town Administrator, members of the Board of Selectmen, and the live proceedings of the Town's Annual Town Meeting; and a Hillside project that linked Grade 5 teacher Michael Kascak and Department of Health Director Fredric Cantor in the development of a science unit to explain the contamination of the ground water under the Hillside School. This project was funded by the Microwave Site Coalition.

3) *Sponsored parent and community education seminars and workshops* which included a fathers' support group at Pollard; a series on parenting adolescents co-sponsored by the Guidance Department and Youth Commission; technology fairs, college placement seminars, etc.

4) *Welcomed outside groups in their use of school space to enhance this community quality of life during non-school time* through Park and Recreation Department, Girl/Boy Scouts, intramural basketball league, Women's Club Crafts Fair, theatre and performance groups, etc.

5) *Provided performance and exhibits of Fine and Performing Arts Students' work throughout the community*. Student music groups regularly performed for Town and community organizations, and student artwork beautified the corridors of the Deaconess-Glover Hospital and Stephen Palmer Centennial year round. The musical performance "Damn Yankees" was professional, delightful, and sold out!

6) *Contributed more than 800 high school students to work in community businesses or community service*. Students to applied skills learned in the classroom, earn credit, make contribution, and see the VISION practiced by adults within the wider community.

7) *Brought both pride and entertainment to a wide range of audiences within the Town* through our students' skilled and heartfelt performances in athletic and extra-curricular events. In FY '98, individual students qualified for regional and national awards in forensic Model Congress, musical performances, and athletics. We cheered our Boys' Hockey Team and Girls' Hockey Team to the state finals at semifinals, respectively, while our Girl's Lacrosse team, coached by Paula Kelley, won its second consecutive state title. Athletic Director Jackson Foster, who stepped down at the end of FY '98, deserves both credit and praise for cultivating a healthy balance of academics and athletics as the underpinning of healthy, successful, and highly subscribed sports program.

D. FINANCES

This goal is one of maximizing Town resources, managing well, tapping outside sources, and forming statewide partnerships. This year, we:

1) *Contained Special Education Increases* - projections for FY 99 are slightly over 3 percent, as compared with previous years' increases in the 15 to 17 percent range. This is the result of better monitoring in FY '98, and implementation of specific strategies to improve delivery of services within the Needham Schools.

2) *Worked cooperatively with Needham Education Foundation (NEF), school-based PTC groups, service clubs and Commissioners of Trustees* to raise money and increase the Town's opportunity for acquiring money through sources independent of local property taxes. A non-profit Fund for Needham is now in place, and is able to receive monies that can only be awarded through a non-profit agency. PTC organizations are in process of achieving non-profit status; Newman and Hillside have completed the process. Mitchell School used the Fund for Needham as a conduit for fund-raising in the replacement of its playground.

Created payroll and accounting controls to improve the management of a \$24.5 million budget, and prepared account managers to shift to a site-based approach for budget monitoring FY '99 expenditures and budget preparation for FY '00.

The Needham School Committee has taken an active role in mobilizing the Suburban Coalition to work cooperatively toward a recalibration of the Education Reform formula for the legislature's anticipated reauthorization of dollars past the Goal 2000 mark.

ORGANIZATION and INFRASTRUCTURE

Our VISION gives us a target, but to get there we need to examine the way we do business with a critical eye. Our goal is to be more effective and efficient in delivering the educational product. During FY '98 we:

Hired an Assistant Superintendent for Student Development and Community Partnerships. This position replaced a Director of Pupil Personnel Services, and redefined the fourth member of the School Department's central office as a person who could advocate the needs of all Needham students -- not just those with learning disabilities. This job was created to move toward our VISION of educated learners, excellence, and integrity through PARTNERSHIPS. Since the Town has both needs and assets (sometimes more human than financial resources), this Assistant Superintendent's role is to know the players and cultivate partnerships that advance educational opportunities and support the wider community -- its values and quality of life. Linda Speede-Franklin initiated this role in FY '98 and joined the team of Superintendent Patricia Ruane, Assistant Superintendent for Personnel and Curriculum Stephen Theall, and Director of Financial Operations Mary Ellen Hann. Ms. Speede-Franklin's oversight of the Special Education budget, and her support of the recent reorganization of this department, resulted in a significant drop in increases for FY '99.

Delivered better service in a cost-effective way, thanks to Special Education capacity building within our schools. At Pollard, a partnership with The Walker School puts behavioral experts on site at our Middle School. It helps both students and teachers manage the issues productively and enables students to be educated in a public school setting. Newman School implemented an "Early Learning Class" for five young children with complex learning needs. This program allows us to receive Needham students from outside school placements, and to educate them as part of a typical community in their home town. A specialized teacher with expertise and experience working with this population of students helps classroom teachers to understand the students' unique needs and to modify programs. As a result, these children can be included in the ongoing academic and social experiences of their peers.

3) Combined district initiatives with complementary school initiatives. While the School Department made some townwide changes in infrastructure at each school, Newman School's principal and teachers were ready to go beyond district minimums. Specifically, Newman augmented its Teacher Support Team by combining it weekly with the additional resources of an Instructional Services group that included Special Education personnel, reading teachers, and counselors. To enhance our elementary literacy initiative, Newman instituted a Teaching and Learning Council of teachers to provide quality control across a number of dimensions: purchase of materials, discussion of standards, implementation of common practice around reading, and parent information. The ongoing development of productive partnerships marks this school's dramatic five-year evolution to a viable community.

4) Created a longer school year for teachers through our contract settlement. The School Department can now require up to one-third of our teaching staff to work up to five additional days each year. The purpose of this time is to bring together entire grade levels and/or departments for intense training/program development. The result will be more consistency of curriculum and more quality control with respect to instruction. This important organizational change gives us the opportunity to focus our professional development money and planning.

F. FACILITIES and TECHNOLOGY

These constitute major assets for the Town. During FY '98, the School Department:

1) Assisted the Town in negotiations with cable providers, and expanded our technology purchases and training with \$122,610 and \$30,000 respectively in state money. Our inventory of 521 computers was shared by over 4200 students and 340 teachers as of last spring. In May 1998, Town Meeting approved an additional \$200,000 for FY '99. Funding from outside sources and PTC donations continue to augment an operating budget that has been level funded for several years. For more information, visit the Needham Public Schools' web site at www.needham.mec.edu

2) Completed Newman renovation. Phase II of the \$5.75 million renovation was on time and under budget, thanks to the hard work of the Permanent Public Building Committee and the support of both Municipal Building Maintenance Board personnel, Newman administration and staff, and the school's Health and Safety Committee. The timeliness and cost effectiveness of this project were expedited by the School Department's ability to get a waiver from the Department of Education to extend the school day by 30 minutes from September through May. This created a three-month work window in unoccupied space. The result of this model partnership is a beautiful job, with minimal disruption of people or programs.

3) Reopened High Rock School. With enrollments increasing and the Rashi School's five-year lease ending, the School Department reclaimed this building for public school use. Given the uncertainty of the Newman construction schedule, it was held (but not needed) as a contingency site for the possible relocation of students in September 1998. To maintain existing building codes (and not incur additional costs to meet new requirements), the School Department needed to locate at least one educational program in the school. This establishes its continuous use as a school building. Plans to move our pre-school program from the High School to High Rock were finalized in June. Minor modifications were required to improve access.

4) Addressed building/environmental concerns at Pollard. With the added resources of: an Industrial Hygienist, Occupational Nurse, and Occupational Physician; new cleaning protocols; the support of MBMB personnel; and extra resources from the Finance Committee; Pollard's physical environment improved dramatically. In September, all classrooms and common areas were open and without incident.

5) Installed a Climbing Wall at Pollard. This carefully designed structure enhances the Physical Education program for our middle school students. All Physical Education and Health teachers received training on the proper use of this new structure.

6) Participated in Townwide Facilities Study. The School Department worked closely with co-chairs Karl Clauset and Patty Carey, as well as architects from Kaestle Boos Associates to develop viable scenarios and time lines for renovation/construction of our schools, as part of the Town's comprehensive facilities planning.

FY '99 FORECAST

As a department, we recognize that our schools exist in the larger context of the Town. The interconnections among departments are inevitable. Communication and trust are crucial. Each constituency has both needs and assets.

The School Department's VISION is designed to resonate with deeply held values in the Town. This is how we hope to connect past and future. The schools' VISION then, is a way for the Town to see its schools, and vice versa. The Newman project is a great example of the VISION in practice. There are strong elements of partnership, excitement, excellence, and integrity in both process and product. For FY '99 and beyond, we will be using this VISION to guide our practice and interaction with the Town, and invite the Town to share the VISION with us.

As we look ahead to FY '99, there are three realities of which Needham citizens should be aware:

EDUCATION

1) Massachusetts Comprehensive Assessment System (MCAS) Tests will set a new standard for student performance.

The Massachusetts Education Reform Act of 1993 initiated a statewide educational agenda to raise the standards of student performance. During the past five years, business leaders, legislators, and educational leaders have worked to develop statewide curriculum frameworks in English, Mathematics, Science, and Social Studies. These frameworks outline what content students should know, and what skills they should demonstrate by the end of Grades 4, 8, and 10. All but the Social Studies framework were approved by the Board of Education during the 1996/97 school year. Since that time, the state has been developing criterion-referenced tests, while Needham and school districts across the Commonwealth have been examining our local curriculum content and sequence to see if our programs match the new expectations at each level. Needham educators have begun the process of aligning our curriculum with that of the state, but will need both time and additional training to adjust both sequence and instruction.

In May 1998, the state introduced annual "high stakes" tests, designed by Advanced Systems, a New Hampshire-based company, to test these year-old curriculum standards. All public and public charter school fourth, eighth, and tenth grade students took these untimed tests, which required a minimum of about fifteen hours for fourth graders, and approximately twenty hours for older students. Private schools students were not required to take the tests.

The MCAS tests are very different from previous standardized tests. Traditional tests like the Iowa Reading Test, Stanford or California Achievement Tests measure students in comparison with other students at the same grade level. By contrast, MCAS tests measure students against four performance standards: Advanced, Proficient, Needs Improvement, or Failing. Instead of results that resemble a bell-

shaped curve, the state expects that only 30 percent of its students will score in the top two levels FOR THIS FIRST TEST. The other 70 percent will score in the lower two levels. When scores are released in December 1998, both the Department of Education and legislature will be using these first results as baseline data. This is also the intention of the Needham Schools.

Despite the reality of very challenging tests and curriculum alignment that is still in progress, the Needham Public Schools views the MCAS tests as an important window of opportunity. Unlike the SATs, which test general knowledge and skills, the MCAS will give the School Department specific and detailed information about individual student strengths and weaknesses, and program strengths and weaknesses, matched against what students must know and be able to do. Using this data, we can improve our teaching and help all students improve their performance.

The state's new emphasis on performance matches a commitment of the Needham Public Schools to shift from an ENTITLEMENT to a PERFORMANCE culture. While we appreciate Needham's historic support and love of its public schools, the Needham School Committee and the School Department understand that parents have choices in the education of their children. We are striving to improve our product so that students can improve their performance. MCAS results will give us some good information in the quest for improvement. We ask that the community work with us in understanding the results and supporting our efforts to raise the performance bar in Needham.

2) Facilities planning will need every citizen's attention.

The Town has invested both time and money in the investigation of current versus future needs for municipal services, and assessed the potential and limitations of all Town facilities. During FY '99, scenarios will be developed further — with costs, plans for long-term financ-

ing, and a sequencing of projects that link departments and space. Our elementary schools are in need of serious renovation and expansion. Since schools are the Town's largest asset, space decisions for other Town Departments are linked to school needs. A financing strategy will be developed to manage the Town's debt for the entire plan. This is complicated information that is not widely understood. Effort will be made in FY '99 to broaden the base of understanding to all Needham citizens, from all of the Town's leadership bodies. The School Committee will focus major time and energy on facilities discussion, information sharing, and decision making.

3) One-third of Needham's teachers are new

The demographics of our teaching staff are shifting dramatically as more teachers reach retirement age. For FY '99, we will experience a higher proportion of new teachers than ever before. With one-third of our teachers in their first three years of teaching, we recognize the need for some very different approaches and supports. For FY '99, we will be instituting an adult mentoring program that matches trained Needham teachers with our new hires for one-on-one weekly meetings. In a town where demands are high and resources are modest, experienced teachers will help guide new teachers through their first year on the job. The School Department's entire approach to professional development is mindful of both the opportunity and challenge of integrating these new professionals.

As always, Needham's School Department faces challenges and looks for opportunities. We are fortunate to have dedicated, intelligent and creative people servicing the educational needs of children and adults in this community. Schools and education are truly one of this town's greatest assets, and an attractive reason why new families choose to locate in Needham. The School Department appreciates this community's support and encouragement as well as the hours of volunteer service that citizens devote to their public schools.

FUTURE SCHOOL NEEDS COMMITTEE

PURPOSE

The Future School Needs Committee is a town committee that projects future enrollment, monitors energy usage at each school, and serves in an advisory capacity to Town Meeting to issues affecting the Needham Public Schools

FY98 HIGHLIGHTS

- Completed the 1998 enrollment projections using census data for the first time.
- Developed projections that show an average expected increase in enrollment of 100 students per year for the next 9 years.
- Determined several alternative projections using different birth assumptions after 1997.
- Participated in the Townwide Facilities Study summit meeting.

FY99 FORECAST

- Complete the 1999 enrollment projections

- Prepare enrollment projections by elementary school using census data.

YEAR BIRTHS*	1991/1992	92/93	93/94	94/95	95/96	96/97	97/98	98/99	99/00	00/01
	305	342	394	345	409	377	373	373	373	373
SCHOOL YEAR	1997/1998	98/99	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
GRADE PROJECTED ACTUAL										
K	345	361	365	364	387	446	411	407	407	407
1	340	348	374	379	378	401	463	426	422	422
2	385	393	352	378	383	382	405	468	431	427
3	376	381	395	354	380	385	384	407	471	434
4	342	333	382	396	355	381	386	385	408	472
5	356	358	328	376	390	349	375	380	379	401
6	338	339	366	336	385	399	357	384	389	388
7	315	321	333	360	330	378	392	351	377	382
8	276	283	319	331	358	328	376	390	349	375
9	294	322	276	311	323	350	320	367	381	341
10	300	299	325	278	314	326	353	329	370	384
11	268	278	294	319	273	308	320	347	317	363
12	274	265	284	300	326	279	315	327	354	324
TOTAL	4,209	4,281	4,393	4,482	4,582	4,712	4,857	4,962	5,055	5,120
K	345	361	365	364	387	446	411	407	407	407
1-5	1,799	1,813	1,831	1,883	1,886	1,898	2,013	2,066	2,111	2,156
6-8	929	943	1,018	1,027	1,073	1,105	1,125	1,125	1,115	1,145
9-12	1,136	1,164	1,179	1,208	1,236	1,263	1,308	1,364	1,422	1,455
	4,209	4,281	4,393	4,482	4,582	4,712	4,857	4,962	5,055	5,120

* REFLECTS JULY 1 TO JUNE 30 BIRTHS

Actual figures shaded

K adjusted for METCO

Constant births after FY97 based on 5 year average FY 93097

POLICE DEPARTMENT



William G. Slowe, Police Chief

PROPOSE:

The police mission is the maintenance of social order within carefully prescribed ethical and institutional restrictions. This mission consists of the following elements:

- Prevention of Criminality
- Repression of Crime
- Apprehension of Offenders
- Recovery of Property
- Regulation of Non-criminal conduct
- Performance of miscellaneous services

BUDGETARY DATA:

	FY 1998	
Salaries	\$3,290,431	Number of employees
Fees	100,050	Full time 57 (48 police; 9 civilians)
Capital items	161,200	Part time 14
Expense of services	44,792	

1998 HIGHLIGHTS:

During the year over 35,000 continuous hours of patrol activity was provided by officers of the department who responded to a numerous variety of service calls. As of June, 1998, one complete year of joint police and fire dispatch activities occurred in the dispatch center which was staffed by a combination of civilian police officer dispatchers.

Emergency Calls:	
Total calls answered	23,874
Alarm responses	2,432
Bank alarms	43
Business alarms	1070
Residential alarms	1317
Robbery alarms	2
Accidents and citations:	
Traffic accidents investigated	455
Number of vehicles involved in accidents	851
Number of persons injured in accidents	158
Number of persons killed in accidents	1
Traffic citations issued	2307

INCIDENTS AND INVESTIGATIONS

Incident Reports completed 1780

In August of 1997 the Detective bureau conducted a drug investigation resulting in the arrest and conviction of a California man who had 50 pounds of marijuana with him at the time of his arrest. This was the largest seizure of marijuana in the department's history. The suspect is currently serving time in prison for his offense.

Arrests and Complaint Applications:

Juveniles arrested on new charges	14
Juveniles arrested on warrants	2
Juveniles Summoned to court	33
Adults arrested on new charges	128
Adults arrested on warrants	35
Adults summoned to court	112
Total arrests and complaints	324

PROPERTY STOLEN AND RECOVERED:

Value of property reported stolen	\$359,999.34
Value of stolen property recovered	\$ 27, 715.00

FIREARMS LICENSING:

Permits to carry firearms new issues	34
Renewals	173
Firearm identification cards issued	57

COMMUNITY SERVICES

In addition to a federally funded bicycle program which began two years ago, this was the first complete year of a community policing activity which instituted a "walk and talk" program. Also federally funded, it provided for an officer to interact with business people and citizens on a daily basis.

Bicycle patrol program activities	393 hours
Walk & talk program activities	343 hours

SAFETY EDUCATION:

- In April, the community service officer instructed approximately 400 third grade students in bicycle safety. Each child who completed the course received a personalized bicycle license.

JUVENILE PROGRAMS AND SUBSTANCE ABUSE INTERVENTION:

- Locally, illicit drug abuse-marijuana, cocaine, LSD-among teens was down dramatically from a few years ago.

- Continued preventative educational programs aimed at juveniles and parents, coupled with a "zero-tolerance" enforcement policy has been a successful approach. Zero tolerance means that such incidents will not be tolerated and all cases will be referred for evaluation and/or prosecution.
- Parent meetings and workshops with youths were instituted this year. A byproduct was a booklet to help parents support and communicate with one another.
- Roundtable discussions among police, schools, probation and the district attorney were established to help identify troubled youths earlier and provide a cohesive approach at rehabilitation and prevent further transgressions by the offender.
- In collaboration with other town agencies, we provided several positive outings with opportunities for young people to succeed such as basketball tournaments, ski trips, and the D.A.R.E. program
- Enforcement of tobacco laws continued with an overall compliance rate of over 90%.
- Juvenile Diversion has continued to be a major tool in keeping youngsters on the right track while at the same time generating hundreds of hours of community service.

FY1999 FORECAST

- To continue to develop a well trained and motivated team of disciplined personnel who are ready and able to meet the law enforcement needs of the community.
- To adopt and continue those programs and policies which reflect a progressive law enforcement and community oriented philosophy.
- To monitor and improve upon public safety dispatch operations.
- To implement new firearms licensing procedures consistent with anticipated changes in state and federal law.
- To continue to develop policies and practices which address the needs of the community and provide effective, efficient law enforcement service.



Cover of the program of the Dedication of Needham High School, September 1, 1893

PUBLIC SAFETY

FIRE DEPARTMENT



Robert A. DiPoli, Fire Chief

MISSION STATEMENT

To provide to the Town of Needham an effective, well trained team of professionals to protect the lives and property of its' residents through fire suppression, emergency medical services, emergency disaster preparedness, fire inspections, and fire prevention through education, in the most cost-effective manner possible.

BUDGETARY DATA

SALARIES	\$3,899,266
PURCHASE OF SERVICES	75,459
EXPENSES	142,794
TOTAL	\$4,117,519

In FY98, the Fire Department employed 70 full-time employees.

FY98 SUMMARY OF INCIDENTS

Fire	355
EMS	1,403
Service Calls	1,239
False Calls	405
Miscellaneous Calls	750
TOTAL	4,152

Miscellaneous calls include over pressure rupture calls, hazardous conditions and good intent calls. In addition, fire inspectors responded to 1,281 calls for inspections of buildings and residences in the community.

COST OF FIRE AND EMERGENCY MEDICAL SERVICES

The cost of fire and emergency medical services provided by the Fire Department averaged \$137.59 per year, per person or \$.38 per day, per person in FY98.

FY98 HIGHLIGHTS

- On July 1, 1997, the department adopted 24 hour shifts.
- The department's old Engine 2 was awarded to US Trust in exchange for cash and a generous donation to our Advanced Life Support program.
- The department was, once again, awarded a Student Awareness of Fire Education (S.A.F.E.) grant. Elementary school children in Grades K, 2 and 4 were educated in recognizing the dangers of fire, what to do in the event of a fire, the dangers of smoking, and the hazards associated with smoking and smoking related materials.
- State Fire Marshal Stephen D. Coan presented Firefighter/Fire Safety Educator Fred Schortmann with a service recognition award.

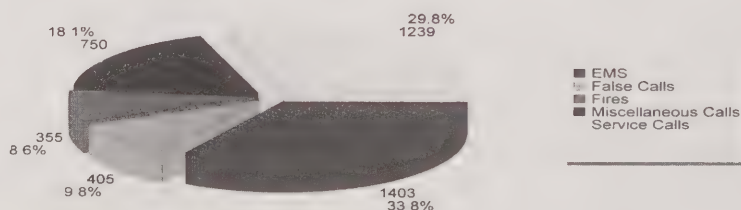
- The concept of team teaching was instituted in the S.A.F.E. program. Firefighters Matt Kane, Shawn Donovan, Robert Papetti, and Lts. Dennis Condon and Charles Lambert were selected as the Fire Safety Educators for the program. The grant writer and Project Director is Deborah A. Bonanno.
- Firefighter Robert Jimenez retired in February.
- Deputy Chief of Operations announced his retirement effective July 25, 1998.
- All department personnel were issued state-of-the-art turn out gear.
- The Fire Prevention Bureau issued 1,011 permits and collected \$25,125. in revenue.
- Fifty-nine underground tanks were removed under the provisions of M.G.L., Chapter 148, and 527 C.M.R. 9:00.
- The Fire Prevention Bureau continued to inspect for properly placed, working smoke detectors upon the sale or transfer of homes. This year 638 homes were inspected.
- Three hundred seventy-three (373) permits were issued for oil burner inspections, LPG tank inspections, blasting, etc.
- The Fire Prevention Bureau inspects all nursing homes and hospitals every three months. This year, 28 inspections were conducted.
- The Fire Prevention Bureau inspects all homes and structures to be demolished. Oil tanks, above and underground, as well as oil burners must be removed. Any hazardous materials such as refrigerators, paints, etc. must also be removed. Eighteen homes were inspected and demolished.
- The Emergency Medical Services division responded to 1,403 calls and collected \$221,707 in revenue.
- Two firefighters were certified as paramedics.
- EMT's were recertified and non-EMT's were certified in the use of the semi-automatic defibrillators.
- Emergency medical data informational kits are available free of charge to residents in the community.
- Our participation on the Metro-Fire Haz Mat Team continues with Firefighter/EMT Bryan G. Campbell as our team member.
- The Fire Alarm division collected \$62,400. in master box subscriptions and \$2,100. from fire alarm and sprinkler permits.

- Fire Alarm personnel made approximately 652 visits to businesses within town to check on fire protection systems which had a master fire alarm box installed. Approximately 150 trips were made to businesses without master fire alarm boxes.
- Several training classes were offered at the station including: elevator training, ice and water rescue training, firefighter safety, and hazardous materials.
- The Fire Department joined with other public safety departments and agencies in "Response 98". This tabletop exercise provided training on what to do in the event of a hurricane. Local departments and officials participated in this exercise. The exercise was organized by The Federal Emergency Management Agency, Massachusetts Emergency Management Agency, and our local Emergency Management division.
- The Emergency Management division continues to train their members in CPR and shelter management.
- Our department personnel continue to take advantage of training at the state and local level.

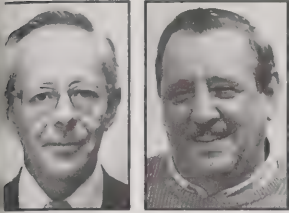
FY99 FORECAST

- The department will be looking forward to the delivery of a new fire engine to replace an old reserve engine.
- The purchase of six additional voice amplifiers will assist us in communicating inside burning buildings.
- The department will be placing two new defibrillators in service: one on Engine 3 at Headquarters and one on Engine 4 at the Heights.
- Plans are progressing to implement our Advanced Life Support system.
- Three firefighters will begin their paramedic training in October.
- The Emergency Management division will be making available to the public, comfort care kits. These kits provide necessary essentials in the event that an individual is relocated from their home due to threatening storm conditions or other disaster.

FY 98 SUMMARY



BUILDING DEPARTMENT



Ernest LaVigne, Building Inspector; Ernest Ohengasser, Wiring Inspector; Not Pictured: Andrew Brown, Plumbing Inspector

This department is responsible for reviewing applications and plans to construct, alter and demolish any building or structure, for compliance with applicable Zoning By-Laws, Massachusetts State Building Code, Massachusetts State Fuel, Gas and Plumbing Code, Massachusetts State Electrical Code, Town of Needham Sign By-Law and the enforcement of Massachusetts requirement for dealer of Weights & Measures.

The Massachusetts State Building code also requires this department to inspect public buildings. There are 14 places of worship, 15 day care sites, several state group homes, 7 nursing home facilities, Deaconess-Glover Hospital, The Charles River Association for Retarded Citizens, 7 public schools, 4 private schools, 982 apartment units and 247 hotel units and approximately 45 other places of assembly that require inspections throughout the year to insure that these structures comply with the Building code for public safety, ingress and egress.

In responding to inquiries about what one is allowed to do at their property has been a major responsibility of the Inspector of Buildings. It is the Inspector who must determine that all permits for additions and uses of properties, both residential and non-residential, conform to the Town of Needham Zoning By-Laws.

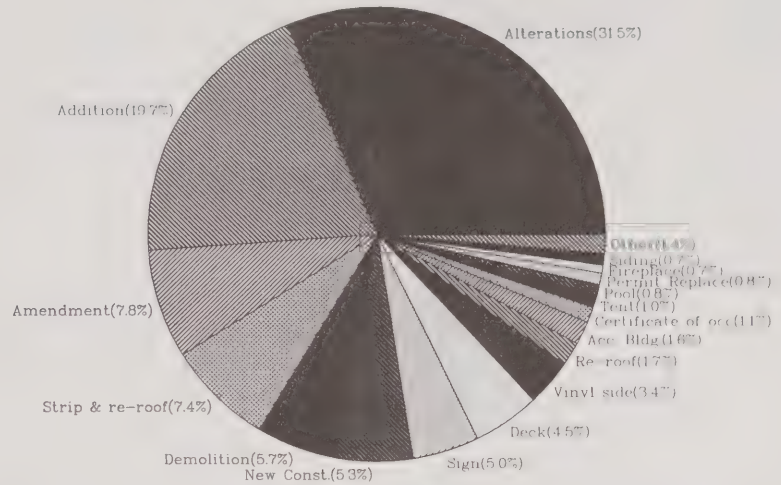
The Building Inspector also advises those residents who are not in conformance with the Zoning By-Laws of that fact and sees that the necessary corrections are made.

BUDGETARY DATA:

No. of employees:		Budgetary Data	
Full-time	4	Salaries	\$218,531
Permanent		Purchase	\$1500
Part-time	3	of Service	
Part-time	6	Expenses	\$5607
		Capital	
		Outlay	\$ 800
		Total	\$226,438

This Department issued a total of 3164 permits and collected \$473,126.85 this year in permit fees.

7*1*97 THRU 6*30*98
1015 PERMITS ISSUED



Number of permits issued/Fees collected

	1994	1995	1996	1997	1998
Building	723/\$399,835.	885/\$327,479.06	842/\$322,322.	929/\$362,855.20	947/\$377,109.00
Plumbing	744/\$ 20,880.	652/\$ 24,415.	796/\$ 24,900.	748/\$ 24,380.	811/\$ 26,175.00
Gas	257/\$ 5,945.	287/\$ 6,785.	283/\$ 7,560.	281/\$ 6,610.	303/\$ 7,002.00
Wiring	717/\$ 44,471.	859/\$ 55,581.25	926/\$ 59,418.75	985/\$ 51,758.03	1045/\$ 54,246.00
Signs	44/\$ 2,210.	79/\$ 3,270.	59/\$ 2,190.	99/\$ 3,380.	50/\$ 1,670.00
Swimming Pools	5/\$ 200.	4/\$ 175.	14/\$ 550.	9/\$ 375.	8/\$ 375.00
Weights & Measures		\$ 3,423.50	\$ 1,691.15	\$4,016/\$ 3,409.85	
Miscellaneous Fees	\$ 3,126.50	\$ 4,522.25	\$ 3,968.25	\$ 4,808.65	
Totals	2490/\$476,667.50	2766/\$425,651.06	2920/\$422,600.15	3051/\$458,182.88	3164/\$473,126.85

	1994	1995	1996	1997	1998
New Single Family Dwellings	34	35	42	56	46
New Two Family Dwellings	-	-	6	4	4
New Non-residential Buildings	2	3	4	6	2
Conversion to Two Family	-	-	-	-	-
Add/Alter Existing Residential Buildings	549	700	611	785	792
Add/Alter Existing Non-residential Buildings	109	113	133	136	108
Demolish or Relocate	29	34	46	41	35
Swimming Pools	5	4	14	9	8
Signs	44	79	59	99	50
Total	772	968	915	1,037	1,045

PUBLIC FACILITIES

PUBLIC WORKS DEPARTMENT



Richard P. Merson, Director of Public Works; James J. Courchaine, Superintendent Water and Sewer Division; John F. Cusick, Superintendent Park Division; Steven Hawes, Superintendent Garage Division, Not pictured, Mark Flynn, Superintendent Highway Division

PURPOSE:

Public Works includes, in its broadest sense, all endeavors related to the planning, designing, construction, operation, maintenance and management of the physical facilities necessary or desirable to community life. The Needham Public Works Department renders service to all citizens in the areas of highway maintenance and construction, water supply and distribution, sanitary and storm sewer construction and maintenance, solid waste disposal and recycling, traffic control, park maintenance and snow removal. The Department provides its own administration, engineering and equipment maintenance.

BUDGETARY DATA:

DPW GENERAL FUND DIVISIONS

Personal Services	\$2,251,846
Purchase of Services	1,233,302
Expenses	387,709
Capital Expenses	0
Snow & Ice	<u>202,861</u>
Total	\$4,075,718

Number of Employees

Full Time - 85 Part Time - 16

BUDGETARY DATA:

ENTERPRISE FUNDS

	WATER DIVISION	SEWER DIVISION
Personal Services	\$ 563,731	\$ 400,805
Purchase of Services	204,618	95,446
Expenses	166,497	55,353
Capital Expenses	48,209	29,400
Emergency Expenses	39,315	66,739
Debt Expenses	976,889	1,086,353
MWRA Expenses	<u>154,221</u>	<u>3,982,467</u>
Total	\$2,153,480	\$5,716,563

FY'98 HIGHLIGHTS:

Recycling markets continue to improve. Recycled 24 percent out of the solid waste stream.

Shipped 8,389 tons of rubbish to Wheelabrator Millbury (burn to energy plant).

Buried 4,242 tons of material generated by the Town and 28,757 tons of construction & demolition material in the landfill.

Landfill was closed 12/31/97 in compliance with Department of Environmental Protection (DEP) Consent Order.

Recycled 2,396 tons newspaper and mixed paper, including phone books and magazines; 501 tons of commingle, including glass, aluminum and tin cans, milk and juice cartons and #1-#3 plastic containers, and 206 tons of corrugated cardboard.

Removed 551 tons of metal and 21 tons of tires from the waste stream.

Goodwill received 150 tons of textiles.

Composted 2,015 tons of yard waste.

10,867 Disposal Area user stickers were purchased.

Reconstructed and resurfaced 6 lane miles of roadway - Central Ave. between Great Plain Ave. & Hunnewell St.; Donna and Glendon Roads and Hunnewell St.; and 6,900 s.y. of parking lots (Eaton Square and Chapel St. Lots)

Constructed 36 American Disabilities Act (ADA) handicap ramps.

Placed 358 tons of asphalt for road patch, 279 tons of leveling for stonesealed surface treatment of roads, and 72 tons of asphalt for sidewalk repair.

Stonesealed 3.15 lane miles of roadway (Bess, Julia, Ludwig, Nardone, Shirley Roads and Nehoiden St.) & placed 4,048 gallons of crack-seal on 17 roadways.

Loam and seed 2.5 miles of berm at over 100 locations.

Responded to and completed 670 work order requests, including repair of berms, fences, potholes, driveway aprons, parking meters and sign replacement.

Performed engineering survey work for the Harris Ave. & Webster St. intersection redesign and upgrade for traffic light system.

Provided engineering support & planning for field improvements at Sr. High School, High Rock, Hillside and Mitchell Schools

Provided engineering support for stabilizing Fuller Brook Culvert at Great Plain Avenue.

Performed engineering layout for the reconstruction of the Eaton Sq. and Chapel St. parking lots, various sewer and drain easement standpipe fences, and handicap ramps at various locations.

Provided engineering survey work and layout in support of the Recycling & Transfer Station (RTS) expansion.

Completed evaluation and supervised AMTRAK tests of grade crossing warning and signage for all railroad grade crossings.

Provided engineering review of several subdivisions and site plans for Planning Board.

Loam, seed and sod worn areas of Cricke and DeFazio soccer and lacrosse fields, and renovated Walker Gordon and Riversides athletic fields.

For third year, Needham recognized as one of the Tree City USA communities.

Mitchell and Hillside Elementary School playing fields were reconstructed in the third year of the 5 year phase-in program whereby DPW assumes responsibility of public school grounds.

Installed water bubblers at Newman & Pollard Schools and Central Ave. playing field.

Sod Memorial Park and DeFazio fields 90 football baseball diamonds.

Managed landscaping of Chapel St. municipal parking lot.

Parks Division responded to 200 work order requests, removed 87 trees and planted 60 trees.

Responded to 314 sewer emergency calls (after hours), including 22 sewer pump station failures, 26 personal property damage and 26 storm drain and sewer main blockages.

Responded to 129 water emergency calls (after hours), 1,500 scheduled appointments and 500 unscheduled appointments.

Repaired 45 water pipe leaks, including 11 water main breaks and 32 water service leaks.

Replaced 8 fire hydrant gate valves and repaired 50 hydrants.

Replaced 119 water curb boxes, 205 street gas boxes, and replaced 275 ball valves inside homes for water meters. Replaced 626 stopper or old water meters.

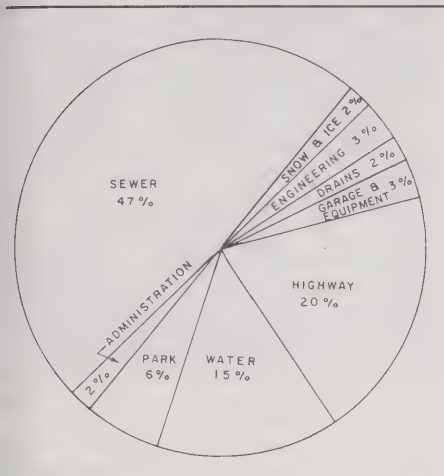
Installed 226 second water meters (for outdoor watering).

Marked out 1,300 water mains and house service locations for contractors and other departments.

Installed security fences at Dunster Rd & Birch Hill water tanks.

PUBLIC FACILITIES

HOW THE FUNDS WERE EXPENDED



TOTAL \$11,945,761

Administration Division	\$ 218,838
Engineering Division	311,541
Garage/Equipment Division	290,626
Highway/RTS Division	2,242,970
Park Division	676,447
Trains	132,435
Snow & Ice	202,861
Sewer Enterprise	5,716,563
Water Enterprise	2,153,480

FY'99 FORECAST

Re-design and construct yardwaste drop-off area due to landfill closure construction.

Continue re-design of Recycling and Transfer Station to increase safety and user friendliness, and meet State mandate to recycle 46% out of solid waste stream.

Continue with maintenance, repair & reconstruction efforts of Town roads, sidewalks, curbs, grass berms, signs, parking meters, traffic signal equipment and street sweeping.

Reconstruct 25 of the 66 ADA mandated sidewalk handicap access ramps.

Continue development of a complete and detailed inventory of Town roads and sidewalks conditions, and continue to develop long term planning, repair and reconstruction strategies to improve overall condition of them.

Actively expand the list of services currently available to Public Works and improve the level of competition of Town Contracts through outside contractors.

Provide engineering layout for the reconstruction of Pickering St. extension, and for paving improvements of Hazel & Fay Lanes and Woodbine Circle.

Perform engineering survey for the re-design of the Hillcrest Rd. intersection at Falcon, Highgate and Wyoming Roads.

Provide various engineering support for field improvements at Broadmeadow, Eliot, High Rock, Sr. High School (including tennis court repair); reconstruction of a portion of Great Plain Ave.; Chestnut St. Parking Lot rehabilitation, and Grove St. drainage project.

Review engineering aspects of site plans and subdivision for the Planning Board.

Renovation of High Rock and Sr. High Schools playing fields as the 4th year of 5 year phase-in program whereby DPW assumes responsibility of public school grounds.

Re-landscape Memorial Park Veterans Monument.

Install water bubblers and irrigation system at High Rock and Sr. High Schools fields.

Install new backstop, viewing stands and perimeter fencing at High Rock School playing fields.

Continue athletic field maintenance and renovation at the Claxton and Riverside athletic fields.

Finalize the construction and start-up of the Charles River Water Treatment Facility which will remove iron and manganese to improve corrosion control of the Town's water supply.

Finalize the construction and start-up of the West St. Sewer Pump Station to improve sewer pumping efficiency and safety.

Begin engineering design and construct sewer main rehabilitation in the Newman School to Carol Road easement and Wayne Road to Frank Street easement.

Continue to eliminate inflow & infiltration of the Town's sewer system.

Develop the Water and Sewer Master Plans in order to improve the water and sewer systems infrastructure.



Grover Building, circa 1900

PUBLIC FACILITIES

MUNICIPAL BUILDING MAINTENANCE BOARD



*Patricia Carey, Ann MacFate, Richard Merson,
Patricia Ruane, Carl Valente, Not Pictured: Mark La
Fleur, Director*

PURPOSE

The Municipal Building Maintenance Board identifies, plans for, coordinates, and executes routine daily maintenance and custodial care of all Town buildings. In addition, it formulates long-range building-related capital needs, including cost estimates and feasibility assessments, for planning purposes.

Buildings cared for and maintained by the Municipal Building Maintenance Board include: Town Hall, Public Safety Building, Highland Avenue Fire Station, Public Library, DPW Main Building, Ridge Hill Reservation (3 buildings), Carleton Pavilion, Stephen Palmer (Council on Aging), Needham High School, Pollard Middle School, Newman Elementary School, Mitchell Elementary School, Hillside Elementary School, Broadmeadow Elementary School, Eliot Elementary School, High Rock School Building, Emery Grover School Administration Building, and the Daley Maintenance Building.

BUDGETARY DATA FY'98

SALARIES	\$1,809,856
Purchase of Services	1,276,162
Expenses	287,180
Capital	73,678
TOTAL	\$3,446,876

Number of Employees

Full time - 49 Part time - 4

FY'98 HIGHLIGHTS

Completed "ADA" modifications at the High School. The majority of the work involved elevators, fire alarm, and plumbing.

Removed an abandoned 5,000 gallon in-ground fuel oil tank from the Stephen Palmer Council on Aging. The Commonwealth of Massachusetts partially funded this project by awarding the Town a \$2,187 grant.

Renovated the High School boiler room. An 800 gallon receiver tank, feed tank, and all associated pumps, piping, and controls were replaced.

Performed extensive asbestos-containing floor tile abatement at the Eliot School (4,000 s.f.), High Rock School (3,500 s.f.), and Pollard Middle School (1,000 s.f.).

Abated 985 feet of asbestos-containing pipe insulation at the High Rock School. All pipes were reinsulated.

Painted the entire exteriors of the Eliot School, Hillside School, and DPW main building.

Replaced the intercom, clock and bell, and telephone system at the Mitchell School.

Retubed the DPW main building boiler.

Replaced all of the science lab gas cocks (approx. 140) at the High School.

Renovated the Eliot School cafeteria. The cafeteria was completely painted, the floor was retiled, and the draperies and furniture replaced.

Repaired the warped hardwood gymnasium floor at the Hillside School.

Replaced the roof top/ceiling hung HVAC unit in the Mitchell School Media Center.

Replaced the oil pump set, condensate receiver tank, and boiler feed controls at the Eliot School.

Performed extensive roof repairs at the Emery Grover School Administration Building.

Replaced the rear entrance ramp, constructed of wood, at the Town Hall.

Made extensive repairs to the Mitchell School fire alarm system which had been damaged by a lightning strike during the blizzard of April 1, 1997.

Replaced the severely rotted wooden fascia boards on the rear side of the Memorial Park Field House.

Performed extensive tree pruning, cutting back, and removal at the High Rock School. Many large oak tree limbs had overgrown the school and were causing damage to the roof membrane.

Installed vinyl stair treads on the Police Station front stairwell.

Installed premium acoustical ceiling tiles in the Police Station's combined dispatch area.

Performed a minor renovation in the Data Processing office and Data Processing kitchenette area in the Town Hall. Asbestos-containing floor tile was abated, carpeting replaced, and a new counter and sink installed.

Replaced all of the unit ventilator steam traps in 400's, 500's, and 600's classrooms at the High School.

Installed two 500 gallon interior fuel oil tanks at the Daley Maintenance and Warehouse Building to replace the 1,000 gallon in-ground fuel oil tank.

Upgraded and expanded the security alarm system at the Hillside School.

Replaced 96 feet of four inch fin tube radiating heat piping in the first and second floor corridors at the Newman School.

Installed a subterranean termite elimination system at the Newman School.

Renovated both bathrooms in the garage building at the Ridge Hill Reservation. These bathrooms which are used by outdoor recreationists, received new fixtures, piping, and an electric water heater.

Removed and capped off abandoned basement level ceiling-hung ductwork in the Town Hall.

Reoriented and restriped the north parking lot at the High School. This change resulted in the addition of thirty parking spaces.

Replaced the oil pump set, pump manifold, and all oil piping at the High Rock School.

FY'99 FORECAST

The Municipal Building Maintenance Board anticipates the implementation of a uniform recycling program for all schools and Town buildings. The Board also plans to review and assess the current structure of permitting outside user groups the use of schools and Town buildings for the purpose of instituting a uniform and equitable permit and fee system for the use of Needham's schools and Town buildings.



Emery Grover Building, circa 1950.

PUBLIC FACILITIES

PERMANENT PUBLIC BUILDING COMMITTEE



John Connelly, Chairman, Cynthia Chaston, Mary Petrini, Edward Quinlan, Steven Rosenstock, Steven Stewart, Manager, Not Pictured: Rob Wear, George Kent,

PURPOSE

The Permanent Public Building Committee (PPBC) members were appointed in June, 1996 to be responsible for the construction, construction, enlargement or alteration to buildings owned by the Town or on Town property. The PPBC is responsible for working with the individual user agencies as the need for a project, and/or a feasibility study, comes established.

'98 HIGHLIGHTS.

The following is a summary of completed or ongoing projects the PPBC has supervised during the formal 1998 fiscal year (July 1997 to June 1998). Due to the nature of most projects, significant work was performed during this time period as well as during FY'99 (July 1999 to June 1999). Detailed project budget sheets are attached at the end of this report.

Name	Project Status
Transfer Station	Complete 1/98
Authorization	Budget Status
\$844,000	~\$31,000 under
Contractor	Project Mgr.
Colantonio	K. Carboneau

This project was part of the overall closing of the landfill and involved additions and modifications to the Transfer Station, which handles all of the town's waste now that the landfill is closed.

Name	Project Status
Newman School Renovations	I - Complete 12/97 II - Complete
Authorization	Budget Status
\$5,812,413 (both phases)	within budget ~\$464,000 under
Contractor	Project Mgr.
Arcon (I) Maron (II)	Gilbane Gilbane

The Newman School Renovation Project was split into two phases in order to allow the major work to occur when students were not present. Phase I consisted primarily of renovations to make the Newman School compliant with the ADA and MAAB, including the construction of elevators. Phase II consisted primarily of exterior window replacement, technology wiring, relocation of science center and renovations of administration area, music room, several classrooms, gym, and basketball courts outside.

Name	Project Status
Hillside School Modular Classrooms	Complete 9/98
Authorization	Budget Status
\$223,000	within budget
Contractor	Project Mgr.
Arthur Bldg. Systems	Gilbane

The PPBC withheld monies from the contractor due to its lateness and some incomplete/insufficient work which the PPBC engaged others to complete/correct. This additional work was conducted during the summer of 1998 and the project is now complete.

Name	Project Status
High School Roof Replacement	Complete 9/98
Authorization	Budget Status
\$910,000	~\$70,000 under
Contractor	Project Mgr.
Rockwell	Gale Assoc

This project entailed the replacement of the majority of the roof at the High School, and the addition of 4 roof drains.

FY'99 FORECAST

The following is a summary of ongoing projects the PPBC is currently supervising. These projects are all expected to be completed within the formal 1999 fiscal year (July 1999 to June 1999). Detailed project budget sheets are attached at the end of this report.

Name	Project Status
Water Treatment Plant	Proj. completion estimated 6/99
Authorization	Budget Status
\$6,635,000	under
Contractor	Project Mgr.
Harding & Smith	CDM

This project consists of the engineering, design and construction of a water treatment facility off Charles River Street on the Needham/Dover/Wellesley border. Construction has begun, and the scheduled completion date is

July, 1999. The current projection is that the project will be completed ahead of schedule and under budget.

Name	Project Status
West Street Pump Station	Proj. completion estimated 7/99
Authorization	Budget Status
\$2,600,000	under
Contractor	Project Mgr.
Waterline	PPBC 6-12/98 CDM 1-7/99

This project will provide the facility required for pumps and other equipment for a new sewage pumping substation on West Street.

Name	Project Status
DPW Roof Replacement	Proj. completion estimated 11/98
Authorization	Budget Status
\$275,000	under
Contractor	Project Mgr.
KPR Roofing	Case/LEA

This project includes the total replacement of all roof systems at the DPW building as well as new flashing, roof drains, gutters and fascias.

In addition to the projects listed above that are currently underway, the following projects are currently "on deck" for PPBC management in FY'99:

- High School Gym
- High School Auditorium, and
- High Rock School renovations

It has been another challenging year for the PPBC. Successes in bringing projects in on time and within budget have been achieved through the hard work of all PPBC members and the cooperation by the user agencies. In the future, the PPBC looks forward to addressing several issues which we have identified during our brief two year existence, including: 1) starting the planning process as soon as possible so that projects can be well conceived and well executed, with the best possible prices being achieved; and 2) working with user agencies to modify their designer selection process to ensure that the designer services received are efficient and economical.

HUMAN SERVICES

BOARD OF HEALTH



Alan K. Stern, A. Raymond Taurasi, Fredric Cantor,
Director, Not Pictured: Edward Cosgrove

Elected by the citizens of Needham, the Board of Health is empowered by the Massachusetts General Laws to enforce state and local public health and environmental regulations. The mission of the Board of Health is to preserve, protect and improve the public health and social well-being of the citizens of Needham by promoting health and preventing disease and environmental pollution.

BUDGETARY DATA

Number of Employees	Grant-Funded Employees	TOTAL
Full-time 4	1	5
Part-time	3	5
Salary		\$210,285
Expenses		<u>7,038</u>
Total		\$217,323

MENTAL HEALTH/ MENTAL RETARDATION/ EMERGENCY SHELTER

Mental Health Agencies.	\$20,661
Charles River Industries	<u>4,580</u>
Total	\$25,241

RECEIPTS

Clinics	\$4,727
Nutritional/Misc	149
Permits	37,063
Traveling Meals	<u>\$39,425</u>
TOTAL RECEIPTS	\$81,364

HEALTH CARE AND HUMAN SERVICES

PUBLIC HEALTH NURSING:

The public health nurses continue to offer health promotion, counseling, screenings, and immunizations, and investigate communicable diseases reported in the community. The Public Health Nurses license and conduct health and safety evaluations of the nursery schools, day care programs, after-school programs, summer camps and tanning parlors within the town.

They coordinate human service programs such as the Federal Fuel Assistance Program, the Good Neighbor Programs, and the Salvation Army Local Unit. The nurses also administer the food stamp program for the elderly and the disabled in the Town. The Public Health Nurse co-chairs the Domestic Violence Action Committee.

The following communicable disease statistics represent those reported during the last three years, along with some of the screening programs and activities that the nurses performed during the year:

Communicable Disease	FY96	FY97	FY98
Campylobacter	5	9	12
Chicken Pox	30	41	27
E-Coli	1	0	0
Giardiasis	9	4	5
Group A Strep	0	1	0
Hepatitis A	-	-	1
Hepatitis B	4	2	3
Hepatitis C	1	0	1
Legionellosis	0	1	0
Listeria	1	0	0
Lyme Disease	2	2	2
Meningitis	1	0	0
Pertussis	2	6	2
Rabies (animals)	2	3	1
Salmonellosis	12	8	9
Shigellosis	0	1	4
Tuberculosis	3	0	1

Animal Bites

Cats	7	7	5
Dogs	11	14	20
Other	1	1	2

Screening Programs:

Colo-Rectal Cancer	63	60	64
Employee Office Visits	330	509	490
Glaucoma	55	30	52
Hearing	100	423	150
Hemoglobin	17	23	7
Mantoux Testing Pb(lead)	305	210	291
Blood Test	8	4	10
Pediculosis Screening	98	508	98
Skin Cancer Screening	145	55	61
Vision	145	338	150
Wellness Office Visits	1740	1818	1787
Health Telephone Consults	1587	1752	1957
Wellness Clinic - Visits (new)	235	243	232
Immunizations: Hepatitis B		270	264
Influenza (doses administered and distributed)	2700	2700	3000

Other Immunizations administered	51	49	62
Local Area Vaccine Distribution	17,427	18,159	20,083

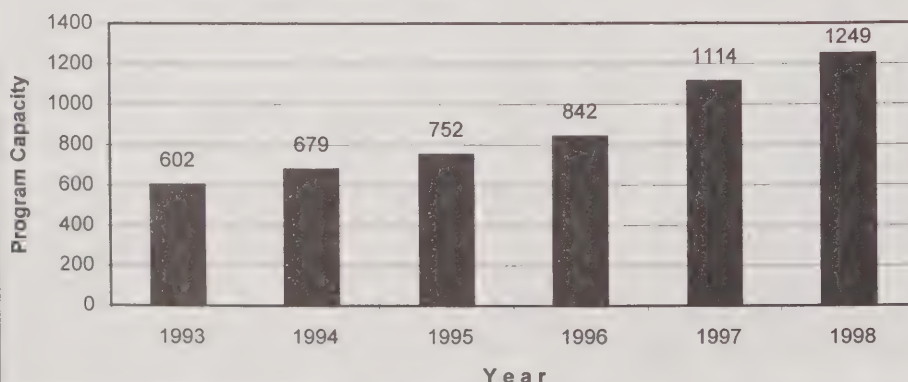
Licensed Facilities:

Day Camps	3	6	6
Inspections			15
After School Day-Care	3	5	8
Day Care Facilities	13	16	14
Total Enrollment	1088	1089	1306
Inspections	69	110	113
Tanning Parlors	4	4	5
Inspections	14	8	11

Assistance and Human Service Programs:

Coordinate Local Assistance (families)	91	125	128
Federal Energy Assistance (families)	147	143	98
Health Guidance Home Visits	96	63	52
Salvation Army/ Good Neighbor (families)	26	24	31

Day Care and After School Program Capacity by Year



HUMAN SERVICES

MENTAL HEALTH AND SUBSTANCE ABUSE:

The Town of Needham supports funding to Riverside Community Care for both children and adults as a payor of last resort for mental and related services. Many of Riverside's services are delivered within the Town of Needham. The range of services provided in FY98 include:

The Needham Outpatient Center provided individual, group, and/or family counseling and medication services to 132 Needham residents for problems such as depression, domestic violence, child abuse, substance abuse, and other issues. Riverside has expanded its outpatient center to better meet the needs of the community.

The Multi Service Center was restructured during this year to focus solely on Needham and three other communities. Multi intensively served five Needham adolescents who were at risk hospitalization or residential placement.

The Lifeskills Adolescent Day Program provided intensive day services to 14 Needham adolescents who were temporarily unable to function in a school setting due to severe emotional problems.

The Riverside Emergency Service continues to provide 24 hour, seven day mobile support to Needham residents with mental health or substance abuse emergencies.

The L.A.D.D.E.R.S. neurology clinic (a joint effort of Riverside and Mass. General Hospital served 14 Needham children. Two pediatric neurologists and a pediatric psychiatrist provide evaluations and treatment to children with a wide range of neurological issues.

Early Intervention Services (for developmentally at risk children age birth to three weeks provided to 80 children.

MENTAL RETARDATION/ DEVELOPMENTAL DISABILITIES:

The Charles River Association for Retarded Citizens, Inc. provides the following services to people with retardation and/or developmental disabilities and their families in the Town of Needham and many surrounding towns:

Individual and Family Support
Recreational
Vocational—Charles Rivers Industries (CRI)
Residential—Community Living Program (CLP)
Advocacy

The following services are provided by Charles River Industries:

- Competitive Job Placement/Supported Work/Day Activity/Day Habilitation
- Senior Choice Program—a work/recreational program for seniors
- Lawn Busters—a Lawn Care service
- Clean Sweep—a moving in/out House Cleaning service

For a complete Annual Report contact:

Charles River ARC, P.O.Box 169, Needham, MA 02492 (781) 444-4347

PUBLIC HEALTH NUTRITION:

Weight management, behavior modification classes and nutrition counseling at the Board of Health has been discontinued due to reduction of the public health Nutritionist's hours.

The Public Health Nutritionist is responsible for coordinating the Traveling Meals program; providing in-home health counseling for all participants. The Deaconess-Glover Hospital prepares meals which are nutritionally balanced and enjoyed by the participants.

The Traveling Meals Program celebrated its 25th anniversary on November 15, 1996. The home delivered meals programs started with one meal delivered on November 15, 1971 and has grown to 10,000 + meals packed and delivered by over 80 volunteers. The late Dorothea Willgoose, Director of Continuing Care at Glover Hospital, was instrumental in establishing the program.

AIDS COMMITTEE

The Town Wide HIV/AIDS committee, formed in 1993, consists of 14 voting members and other volunteers, and represents many town boards and community groups. The mission of the Town wide HIV/AIDS Committee is to educate the community about HIV/AIDS.

Activities have included:

- World AIDS Day Candle Lighting Ceremony;
- Organizing a Team for the AIDS Pledge Walk;
- Hosting the Names Quilt;

- Volunteer commitment to the Boston Living Center;
- Dissemination of educational information and displays;
- Speakers, panels, Adult Education seminars;
- Liaison to Town boards.

The AIDS Committee welcomes new members and volunteers. Call the Board of Health at 455-7523 for information.

ENVIRONMENTAL HEALTH

Environmental health activities are determined by public demand, legal mandate, complaints, licensure, permit requirements, inquiries, and regulatory enforcement of Board of Health, State Sanitary Code, Department of Environmental Protection, Right-to-Know, and other State and federal regulations. Below is a listing of environmental health permits and field inspections and performed by the Board of Health environmental health agent in FY98.

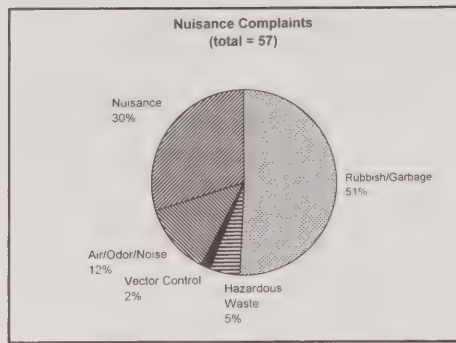
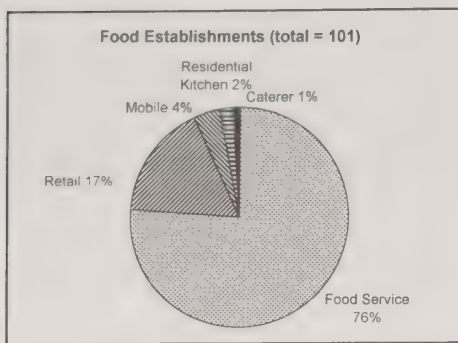
FY98 list does not include consults and only includes inspections and permits issued from October 20, 1998 to June 30, 1998

	FY98
Carbonated beverage inspections	1
Chapter 21E-Environmental consults	20
Food services-initial and follow-up inspections, and plan review	180
Chapter II housing inspections	3
General nuisance inspections	59
Rabies Clinics-	3
Demolition Release inspections	38
Title V system inspections	20
Title V System installed	7
Subdivision field inspections/consults	5
Swimming pool inspections/consult	12

TRAVELING MEALS PROGRAM

	FY96	FY97	FY98
Home Visits/Health Counseling	181	128	136
Total Meals Packed/Delivered	9,455	10,686	10,135
Weekend Meals Delivered	418	410	425
Total Volunteers Hours	2,520	2,990	3,002
Total FY97 Cost of meals	\$34,700	\$39,218	\$37,195
Participant's Daily Cost for Meals	\$3.67	\$ 3.67	\$3.67

HUMAN SERVICES



Licenses & Permit:

Animal Permits	5	8	5
Bottling Plant Licenses	1	1	1
Burial Permits	295	394	428
Funeral Directors Licenses	4	4	4
Food Establishment Licenses	89	10	101
Food Establishment Licenses-Temporary	5	8	6
Massage Licenses	5	10	12
Semi-Public /Public Swimming Pool Permits	5	5	7
Septic Haulers Permits	5	5	7
Subsurface Sewage Installation Permits	10	10	?
Tobacco Permits	22	24	20
Ice Skating Rink	N/A	N/A	1

FY96	FY97	FY98
5	8	5
1	1	1
295	394	428
4	4	4
89	10	101
5	8	6
5	10	12
5	5	7
5	5	7
10	10	?
22	24	20
N/A	N/A	1

TOBACCO CONTROL PROGRAM

The Needham Board of Health, serving as the lead agency in a tobacco control collaborative for the Boards of Health of Dover, Medfield, Needham, and Westwood, received a \$61,412.50 award from the Massachusetts Department of Public Health for a four-town tobacco control program. The Program is supported by the Health Protection Fund established upon passage of voter referendum Question 1 (Tobacco Excise Tax) in November, 1992.

Key elements of the Tobacco Control Program include:

- Tobacco use education and prevention
- Development and enforcement of regulations and laws governing smoking and the prohibition of the sale of tobacco to minors
- Development and enforcement of worksite smoking policies
- Smoking cessation program referrals

Other program functions include:

- Issuance of permits to sell tobacco
- Inspection of restaurants for compliance
- Inspection of tobacco vendors-Tobacco displays and signage
- Compliance Checks (see figure 5)
- Issuance of waivers granted for smoking section in restaurants
- Workplace secondhand smoke complaint inspections

- Issuance of fines for violation of tobacco regulations

GRANTS AWARDED

\$61,565 Tobacco Control Program Grant from the MA Department of Public Health. Needham is the lead community in a four town tobacco control collaborative. Pending legislative approval, BOH was notified grant will be refunded through the year 2000.

\$8,000 Human Services Grants from federal, state, local churches and other community organizations to assist needy residents in obtaining fuel, medical, food stamps and other emergency assistance as needed.

\$4,000 West Suburban Elder Services Grant for individuals in the Traveling Meals Program who are unable to pay cost of their meal

FY99 FORECASTS:

- 1) New environmental regulations and decreasing support from federal and state resources continue to require that the board sustain and increase its environmental oversight and training capabilities. For example, well drilling regulations were enacted last year and power sanding regulations will be promulgated this year.
- 2) A major overhaul in the nature and conduct of MA Department of Public Health's food service regulations is expected which will require increased training for Board of Health staff.
- 3) Emergent and re-emergent infectious diseases such as; rabies, tuberculosis, E. coli 0157-H7 and hantavirus, and the potential for outbreaks reaffirm the need for strong oversight by the Board of Health and prompt investigation of all disease reports.
- 4) Traveling Meals Program participation will continue to increase in response to changes in the health care delivery system and an aging population.
- 5) The board will increasingly be called upon to address complex and technical health and human service issues.

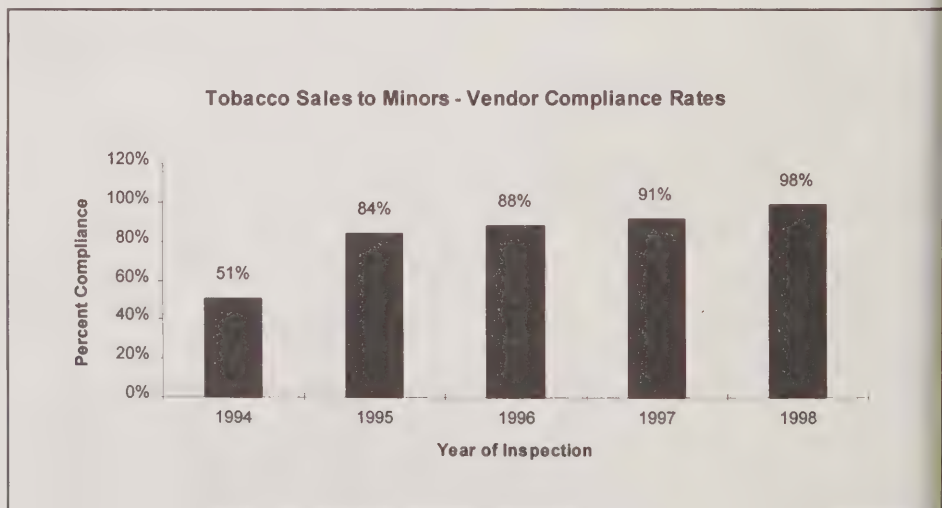


Figure 5: Change in compliance rate over time
(Compliance Rate = percentage of merchants not selling cigarettes to minors.)

NEEDHAM SERVICES LISTING

OUR TOWN

SITUATION

About 10 miles southwest of Boston
Geodetic position of Town Hall:
Latitude 42° 16' 51.567" North
Longitude 71° 14' 13.048 West

COUNTY

NORFOLK

POPULATION

29,925 (1998 Annual Town Census)

AREA

Approximately 12.75 square miles

ELEVATION

85 Feet above sea level at Rosemary Meadows.
180 feet at Needham Square, 300 feet at Birds Hill.

ASSESSED VALUATION

Residential	2,783,746,000
Commercial, Industrial, Personal	531,416,970

TAX RATE

For the period from 7/ 1/ 98 - 6 /30/99
(per \$1,000 of value)

\$12.88 - Residential

\$20.80 - Commercial / Industrial / Personal

TAX BILLS

Tax bills are issued quarterly. Payments are due on August 1, November 1, February 1, and May 1. If unpaid by due date, interest will be added according to law from the date due to the date payment is made. Motor Vehicle Excise is due thirty days from date of issuance. Water Bills are issued quarterly and are due thirty days from date of issuance.

TOWN HALL

Built in 1902

TOWN MEETING

Representative Town Meeting:
Meets First Monday in May

TOWN CLERK

Monday - Friday - 8:30 AM - 5:00 PM
Office open evenings - 2nd & 4th Tuesdays except
July and August - 3rd Tuesday 7:30PM -9:00 PM

ABSENTEE VOTING

All elections

NOTARY PUBLIC/ JUSTICE OF THE PEACE

Town Clerk's Office

QUALIFICATIONS FOR REGISTRATION AS VOTERS

Must be 18 years of age and a United States Citizen.
Registration at Town Clerk's Office, Monday through Friday,
8:30 AM - 5:00PM and second and fourth Tuesday evenings
7:30 - 9:00PM. Special evening registrations of Registrars held
proceeding elections.

DOG LICENSES

All licenses expire December 31.
A dog should be licensed when 6 months old.
Proof of rabies vaccination is required

Fee: Neutered Dogs:	\$10.00
Un-neutered Dogs:	\$15.00

RABIES IMMUNIZATIONS

All dogs and cats must be vaccinated for rabies.

SENATORS IN CONGRESS

Edward Kennedy:	Phone: (617) 565-3170
	Fax: (617) 565-3183

John Kerry:	Phone: (617) 565-8519
	Fax: (617) 248-3870

REPRESENTATIVE IN CONGRESS

John J. Moakley:	Phone: (617) 565-2920
	Fax: (617) 428-2011

Ninth Congressional District

STATE SENATOR

Cheryl Jacques:	Phone: (617) 722-1555
	Fax: (617) 722-1054

REPRESENTATIVE IN GENERAL COURT

Lida E. Harkins:	Phone: (617) 722-2263
	Fax: (617) 722-2750

EMERGENCY 911

POLICE	911	POLICE TTY	444-5434
FIRE / AMBULANCE	911	HOSPITAL	433-3000
Abused Women Hotline	671-471-1234	Gas Leak	1-800-572-9337
Poison Center Hotline	617-232-2120	Power Outages	1-800-592-2000
Suicide Prevention Hotline	617-247-0220	Sewer Line Backups	Consult Yellow Pages
Child Abuse Hotline.....	781-843-7010	Street Light Outages	1-800-785-4837
Rape Hotline.	781-326-1111	Tree Limbs on Wires	617-262-4700

TOWN OFFICES

FIRE DEPARTMENT

88 Chestnut Street

Emergency: 911

Phone: 455-7580

Fax: 444-2174

Hours: 24 hours a day

PUBLIC WORKS

470 Dedham Avenue

Phone: 455-7534

Fax: 449-9023

Hours: Mon-Fri 8:30 am -5:00 pm

SCHOOL

1330 Highland Avenue

Phone: 455-0400

Fax: 455-0417

TTY: 455-0424

Hours: Mon-Fri 7:45am-

POLICE DEPARTMENT

99 School Street

Emergency: 911

Phone: 455-7570

TDD: 444-5434

Fax: 444-3460

Hours: 24 hours a day

SENIOR CENTER

83 Pickering Street

Phone: 455-7555

Fax: 455-7599

Hours: Mon-Fri 9am -4pm

Needham High School

609 Webster Street

Pollard Middle School

200 Harris Avenue

Broadmeadow School

120 Broadmeadow Road

Eliot School

135 Wellesley Avenue

Hillside School

28 Glen Gary Road

Mitchell School

187 Brookline Street

Newman School

155 Central Avenue

PUBLIC LIBRARY

1139 Highland Avenue

Phone: 455-7559

Fax: 455-7591

Hours: M-Th 10am - 9pm

Fri: 10 am - 5:30pm

SAT: 9am - 5pm

SUN: 1-5pm

TOWN HALL

1471 Highland Avenue

Phone: 455-7500

Fax: 449-4569

TDD: 455-7558

Hours: Mon-Fri 8:30 am- 5 pm

Town Clerk - Evening Hours

2nd and 4th Tues: 7:30 - 9pm

BOARD / COMMITTEE MEETINGS

Board of Assessors.	Mondays	7:00 PM.....	Town Hall
Board of Health	3rd Tuesday or Thursday.....	5:30 PM.....	Senior Center
Board of Selectmen	2nd and 4th Tuesdays	6:45 PM.....	Town Hall
Conservation Commission	2nd and 4th Thursdays	8:00 PM.....	DPW Conference Room
Council on Aging	1st Thursday	7:30 PM.....	Senior Center
Library Trustees	2nd Tuesday	7:30 PM.....	Library
Memorial Park Trustees	4th Tuesday	7:30 PM.....	Memorial Park Building
Park and Recreation	2nd and 4th Wednesdays.....	7:00 PM.....	Town Hall
Planning Board	1st and 3rd Tuesdays.....	7:30 PM.....	Town Hall
School Committee	1st and 3rd Tuesdays.....	7:30 PM.....	Newman School

SCHOOL CLOSINGS: When weather conditions cause schools to be closed or to delay their openings, *PLEASE DO NOT CALL THE SCHOOL DEPARTMENT, POLICE DEPARTMENT, OR FIRE DEPARTMENT.* Announcements are made on Cable Channel 3, local television stations and local radio stations.

Exemption Applications
Motor Vehicle Excise Questions
Property Assessments
Tax Rate Information

Town Hall, Second Floor

- Communicable Disease Info/Surveillance
- Day care Center Inspections
- Licenses and Health Evaluations
- Domestic Animal Permit
- Environmental Health Concerns
- Food Establishment Permits/Complaints
- Food Sanitation Training Programs
- Fuel Assistance Program
- Health Screening: Blood Pressure, TB, Lead, Glaucoma, Skin + Colo-rectal Cancer
- Home Visits: Health Counseling by Nurse
- Housing: Requirements for Safe and Sanitary Housing
- Immunizations
- Influenza Clinics
- Lead Paint Determinations
- Maternal and Child Health Services
- Mental Health Services/Referrals
- Nuisance and Sanitation Complaints
- Rabies Vaccination Clinics: dogs and cats
- Subsurface Sewage Disposal: Permits and Information on Location
- Tobacco Control Program
- Traveling Meals Program
- Vaccine Depot

70 Dedham Avenue

- Building Permits
- Building Information
- Demolition Permits
- Gas Permits
- Occupancy Permits for Business
- Plumbing Permits
- Relocating Structure Permits
- Roofing Permit
- Sealer of Weights and Measures
- Sign Permits
- Swimming Pool Permits
- Tent Permits
- Vinyl Siding Permits
- Second Water Meters (outside metering)
- Wiring Permits
- Woodstove Permits
- Zoning By-Law Enforcement/Questions

American with Disabilities Act Coordinator

470 Dedham Avenue

Wetlands Information

83 Pickering Street

Friends of Needham Elderly
Newsletter: The RIDE Transportation
Saturday DIAL-A-RIDE Service
Senior COMPASS
Senior Center
Senior Crisis Intervention
Senior Health Benefits (SHINE)
Senior Information/Referral
Senior Lunch Program
Senior Tax Return Assistance
Senior Transportation
Social Security Information/Referral
Stephen Palmer Senior Center
Sunday Program
T Passes for Seniors

Emergency Shelter: Pollard School

EMERGENCY MEDICAL SERVICES 911

88 Chestnut Street

Emergency Medical Services 911
Non Emergency 444-0142 or 455-7580
Burning Permits (1/15 - 5/1)
Fire Prevention
Fire Inspection - Smoke Detectors
Sprinkler Installation
Underground Fuel Tank Permits

28 Captain Robert Cook Drive

1139 Highland Avenue

Children's Department	455-7560
Reference Department	455-7562
Assistance Equipment for Physically challenged People	
Books	
Book Discussion Series	
Books-on-Tape	
Business Room	
Cassettes, CDs	
CD-ROM Products	
Community Room	
Community Information and Referral Database	
Dial-Up Access	
Exhibits	

Friends of Needham Public Library
Friends' Book Sales
Genealogy and Local History
Guest Lecturers
Handicapped Accessible
Information and Reference Services
Inter-Library Loan
Internet Connection
Language Tapes
Large Print Books
Magazines and Newspapers
Minuteman Library Network Member
On-Line Catalog Instruction
Photocopy Machine
Puzzles
Story Hours/Children's Programs
Tax Forms
Town Archives
Videocassette
World Wide Web Classes

Town Hall, Second Floor

Recorded Information 444-7212
Arts in the Parks / Children's Theater
Field / Park Administration
Field / Playground Permits
Mountain Biking Information
Outdoor Skating Information
Parent Guide to Children's Resources
Playground Areas
Program Information/Registration
Rosemary Pool Passes
Seasonal Employment/
Volunteer Opportunities
Sports Kit Rental
Sports Organization Information
Tennis Court Passes
Trail Maps
Walking Information

Parking Ticket Hearings are held at Town Hall:
Tuesdays (455-7532) 8:00 AM - 10:00 AM
6:00 PM - 8:00 PM

Town Hall, Second Floor

Civil Service Exam Information
Town Employment Opportunities

Town Hall, Second Floor

- Flood Maps
- Planning Board Meeting Agendas
- Site Plan Permits
- Subdivision Plans
- Zoning By-Law Information
- Zoning Map Information

POLICE DEPARTMENT 911*99 School Street***Non Emergency 455-7570****Animal Control 444-1212**

Bicycle Registration

Firearm Permits

Town Emergencies (non business hours)

School Safety Questions

PUBLIC WORKS**DEPARTMENT 455-7534***470 Dedham Avenue*

Emergency (non office hours) 455-7570

Field/Park Maintenance

Garbage Collection Information

Rubbish or Solid Waste /Recycling

Parking Regulations

Pothole Repairs

Public Tree Maintenance

Second Water Meters (outside metering)

Sewer Connections

Sewer Main Blockages

Snow Removal Regulations

Street/Sidewalk Resurfacing Information

Transfer Station

Water Connections

Water Leaks

Water Main Replacement

RIDGE HILL RESERVATION 449-4923*463 Charles River Street*

Facility Rental Information

Fit Trail and other trails

Picnic Areas

Rangers

SCHOOL ADMINISTRATION 455-0400*1330 Highland Avenue*

Adult and Continuing Education

Art: K-12

Athletics

Community Classroom Program

Computers: K-12

Elementary After School Foreign

Language Program

Elementary Interactive Spanish Pilot Program

English as a Second Language

Kindergarten After School Enrichment

Literary Publications

METCO

Minuteman Regional Vocational

Technical High School 861-6500

Music: K-12

Physical Education: K-12

Remedial Reading

Science Center

Special Education: Preschool-12

Student Exchange Programs

Summer School

SELECTMEN'S OFFICE**TOWN ADMINISTRATOR 455-7512***Town Hall, Main Floor*

General Information 455-7500

Alcoholic Beverage License

Appointments to Boards/Committees

Automatic Amusement Device License

Block Party Permits

Bowling Alley/Billiards/Pool License

Class I - Dealer License

Class II - Used Cars License

Common Victualer License

Entertainment License

Public Hearings / Utilities/ Fuel Storage

Second-Hand License

Selectmen's Meeting Agendas

TOWN CLERK 455-7510*Town Hall, Main Floor*

Absentee Ballots

Appointed Committee Members Listing

Birth Certificates

Business Certificates

Census Information/Jury List

Certification of Petitions

Death Certificates

Dog Licenses

Elected Officials Current Listing

Fishing and Hunting Licenses

Justice of the Peace

Marriage Licenses

MA Income Tax Forms

Nomination Papers

Notary Public

Raffle Permits

Residential Street Listing

Sale of Zoning By-laws

Sale of Design Guidelines

Voter Registration

TREASURER/TAX**COLLECTOR 455-7504***Town Hall, Main Floor*

Ambulance Bill Payments

Betterments

Garbage Collection Registration/Payments

RTS / Disposal Area Stickers

Motor Vehicle Excise Tax Payments

Municipal Lien Certificates

Parking Ticket Payments

Real Estate Information/Payments

Water/Sewer Bill Payments

VETERANS SERVICES 455-7532*Town Hall, Second Floor*

All Veteran Benefits

Discharge Papers Recorded

Flags and Holders for Graves

Headstones and Grave Markers

Veterans Assistance

YOUTH COMMISSION 455-7518*Town Hall, Lower Level*

Babysitter Training Seminars

Community/ Service

Restitution/Diversion Program

Counseling: Individual Group and Family

Harassment/Bullying Workshops

Lincs Program - Loss Information/Support

Parenting Education and Information

Peer Tutoring Program

Project Van - Volunteer Program

Ray of Hope Program

SAVE Seminars

Students Against Destructive Decisions

Substance Abuse Awareness Program

Teen Dating Violence Seminars

Youth Employment: Residential and Business

Youth Source - Newsletter

Workshops on Adolescent + Family Issues

PRECINCT VOTER LOCATIONS**A map is available at the
Town Clerk's Office.****PRECINCT LOCATION OF POLLS**

A	Hillside School 28 Glen Gary Road
B	Hillside School 28 Glen Gary Road
C	Newman School 1155 Central Avenue
D	High Rock School 77 Ferndale Road
E	Pollard Middle School 200 Harris Avenue
F	Stephen Palmer Senior Center 83 Pickering Street
G	Broadmeadow School 120 Broad meadow Road
H	Broadmeadow School 120 Broad meadow Road
I	Mitchell School 187 Brookline Street
J	Mitchell School 187 Brookline Street

DEPARTMENT OF VETERANS' SERVICES



John J. Logan, Jr., Director

PURPOSE:

To carry out functions assigned to the office by Chapter 115 of the General Laws of Massachusetts for the towns of Needham and Dover.

- To keep a depository of discharges and records of veterans
- To oversee the disbursements of veteran's benefits to veterans and their families
- To see that all veterans' graves have a flag on them for Memorial Day
- To see that all veterans' graves in Needham are kept and cared for
- To help veteran's families in completing VA forms to acquire pensions, insurance and other benefits to which they are entitled
- To insure that veterans who die without funds are properly interred.

BUDGETARY DATA:

Salaries:	\$ 40,265.00
Expenses:	3,050.00
Veterans' Benefits:	30,000.00
Purchase of Services:	150.00
Total	\$ 73,465.00

FY 98 HIGHLIGHTS

- The Memorial Day Parade
- Veterans' Day Ceremonies at Memorial Park
- Decorating 1500 veterans' graves at St. Mary's and Needham Cemeteries for Memorial Day
- Participating in the burial of a Time Capsule to be opened in the year 2048

YOUTH COMMISSION



John Romeo, Colleen Schaller, Deborah Winnick, Jon Mattleman, Director. Not pictured: Tom Lambert, Barbara Popper, Lorene M. Whyte

PURPOSE

The Needham Youth Commission operates as a mental health resource offering a wide array of confidential clinical and programmatic services to children, adolescents, and families. While the Youth Commission's services are reaching more people and having a greater impact, it is clear that the need for such services far outstrips the department's resources; thus many in Needham are not receiving support. The Youth Commission has worked diligently to construct meaningful services designed to meet the increasing and ever changing needs of the Needham community.

BUDGETARY DATA

Salaries	\$ 118,854
Purchase of Service	\$ 2,400
Expenses	\$ 2,386
Total Department Budget	\$ 123,640

Number of employees:
3 full-time, 1 part-time, 2 interns (unpaid)

FY '98 HIGHLIGHTS

LINCS Program:

The LINCS Program (Loss INformation and Community Support) was designed in collaboration with the Needham Public Schools and was funded by the Needham Education Foundation, Inc. LINCS' mission is to assist youth in addressing the frequently upsetting, overwhelming, and confusing issue of "loss." This may include, for example, the death of a parent or grandparent; separation/divorce of parents; loss of a cherished pet or possession, or break-up with a boyfriend/girlfriend. Loss is a topic youth will be dealing with more and more as they get older, and it is important to understand the impact loss can have upon a young person's academic, physical, social, and emotional well-being. The LINCS program engaged 550 youth in FY 1998.

Parenting Program:

This program was created to encourage parents to continue to develop their parenting skills. In FY 1998, 300 parents attended a presentation entitled "Raising Resilient Children," and 200 parents registered for small group 12-hour "Active Parenting of Teens" seminars. Special thanks to Wingate at Needham for underwriting this ambitious and successful program.

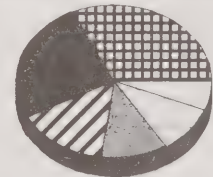
Individual/Family Counseling:

The Masters level clinicians on staff are skilled at working with youth and their families experiencing difficulties with issues such as family discord, loss, drugs, alcohol, stress, and other mental health concerns. Who uses these counseling services? They are neighbors, cousins, children, and friends; they are people with no health insurance or expired health insurance; they are people who are grappling with either a short or long-term problem; and mostly, they are people who have the hope and determination that life can bring greater satisfaction and reward. Perhaps the most frightening area of concern is that young people are encountering more complex issues at a younger age. It is not

unusual to work with an elementary age youth coping with a significant loss; a middle school student coping with parental alcohol use; or a high school student with a serious drug problem. In the past year 988 hours of counseling hours were provided to Needham youth and their families.

PRESENTING PROBLEMS

ISSUES YOUTH ADDRESS IN COUNSELING



	FAMILY		SOCIAL
	DRUGS/ALCOHOL		LOSS
	SCHOOL		OTHER

Group Counseling:

Group counseling is a practical and effective mode of treatment and allows the staff the opportunity to interact with greater numbers of people. Group intervention offers a unique opportunity for young people to learn about issues which affect their peers, and to receive feedback from their peers regarding issues such as: divorce, stress, self-esteem, abuse, depression, social skills, loss, drugs/ alcohol, and violence/anger. Of special note in FY 1998 were three group efforts: "Extreme Looks," funded by the Rotary Club of Needham, and "Girlz," focused upon pre-adolescent/adolescent girls and the issue of retaining confidence as well as mental, physical, and spiritual health; Project RAP, funded exclusively by Westwood Lodge Hospital, engaged middle school-aged students in a five week model focusing on issues such as drugs, alcohol, self esteem, peer pressure, and stress. In FY 1998, the Youth Commission provided 249 hours of group counseling services.

HUMAN SERVICES

Substance Abuse Awareness Program:

The Youth Commission provides a structured 15-hour Substance Abuse Awareness Program for drug/alcohol-involved youth. This service provides an assessment of current substance use, intervention, education for youth and their families, and counseling services to support healthy lifestyles. All participants and their parents must attend an Alcoholic Anonymous (AA) or Narcotics Anonymous (NA) meeting to assist in transmitting the message that drugs and alcohol can impact any person without regard to age, gender, or status.

Employment and Volunteer Programs:

The Employment Program consists of two primary services: 1) Youth are linked with residents and provide around-the-home support in the form of babysitting, yard-work, and snow removal; and 2) Youth investigate employment opportunities in local businesses such as offices and restaurants. The Volunteer Resource Directory was created for youth to inform them of area volunteer opportunities. Over the past year these programs fielded over 600 inquiries.

Diversion/Restitution Program:

In conjunction with the Needham Police Department and the Dedham District Court, the Youth Commission continues to offer those who have committed minor violations of the law the opportunity to participate in community service work in lieu of further court action. The Youth Commission's role is to work with offenders and their families to identify the motivations for their behavior, to provide clinical support as required, and to oversee the placement and completion of community service. In the past year participating youth have completed assignments at the following sites: Needham Public Library, Needham Police Department, Needham Fire Department, and Council on Aging. In Fiscal Year 1998, the Youth Commission monitored 921 hours of community service to the Town of Needham.

Peer Tutor Program:

The Youth Commission's Peer Tutor Program represents a progressive youth-to-youth collaboration. This program matches high school students with middle and elementary school students in need of academic or organizational/study skills assistance. The Youth Commission's role consists of outreach to potential participants, training of high school volunteers, monitoring weekly tutoring sessions, providing support if problems occur, and facilitating communication between volunteers and participant families. Over the past year, Peer Tutor Program volunteers have provided 1,045 hours of support to younger students.

Students Against Destructive Decisions:

SADD works with high school students designing strategies for delivering the message of the dangers of substances such as alcohol and drugs, and bringing critical at-risk behaviors/issues to the attention of students and the

larger community. Highlights of the past year include: "The Yellow Dress," a theatrical performance focusing on dating violence presented for high school students and at the middle school for parents; a campaign promoting safe and healthy Superbowl celebrations; and a charity clothing drive.

Graduate/Undergraduate Internship Program:

In FY 1998, the Youth Commission welcomed two new interns to its Graduate and Undergraduate Internship Program. A clinical intern from the Boston College Graduate program in Counseling Psychology provided individual, family, and group counseling services and extensive work on the Substance Abuse Awareness Program; and an undergraduate intern, from the Human Services Department at Lesley College, focused on the Peer Tutor Program and the Employment Program. Together, interns provided over 32 hours per week of free service to the Needham community.

RAY of Hope Program:

R.A.Y. (Recognize A Youth) was established by the Needham Youth Commission in an effort to acknowledge the outstanding service and positive contributions young people are making in the Needham community. Working in collaboration with the Needham Business Association, each month a young person is selected as the RAY of Hope recipient and is awarded a certificate and check. The RAY of Hope program validates youth and recognizes their role in making the Needham community a special place to live.

Seminars/Workshops/Presentations:

The Youth Commission designed and facilitated numerous trainings in the past year including a training for new Needham Public School staff, Babysitter Training Seminars, Harassment/Bullying Workshops, and Anger/Violence Seminars. In FY 1998 the Youth Commission worked with over 800 children, youth, parents, and professionals.

Partnerships:

The Youth Commission devotes considerable time to assisting youth and family-related groups advance their message and impact. In the past year the Youth Commission collaborated with groups such as:

- Domestic Violence Action Committee (DVAC): one of the main accomplishments was the creation of a video entitled "Behind Closed Doors" and a community event with Liz Walker of Channel 4 as a keynote speaker
- Deaconess Glover Hospital: who provided funding to enhance staff and services
- Needham Community Wellness Committee
- Needham Mental Health/Mental Retardation Committee
- Community Center Study Committee
- Needham Business Association
- Needham Board of Health
- Needham Park and Recreation

- Massachusetts Prevention Center

The Youth Commission received grants and/or donations from the following organizations: Duracell; Needham Education Foundation, Inc.; Westwood Lodge Hospital; Deaconess Glover Hospital; Needham Police Union; Exchange Club of Needham; Rotary Club of Needham; Friends of Needham Youth, Wingate at Needham; and Tolman Trust Fund.

Publications:

The Youth Commission created and/or distributed the following original publications in FY 98:

- Needham Youth Card (updated)
- Suicide Education Kit
- Parent Guide to Teen Parties (updated)
- Ask the Youth Commission (bi-monthly newspaper column)
- Youth Source (newsletter)

FY '99 FORECAST

The coming year holds enormous promise and challenge for the Youth Commission:

- The SAVE Program (Seminars on Anger and Violence Education), funded by the Needham Education Foundation, Inc. will commence in FY 1999. This program will work primarily with elementary school children and their parents on the issues of anger and violence.
- Deaconess Glover Hospital will underwrite 3 twelve-hour "Active Parenting of Teens" seminars.
- Continuing the work of the DVAC, in collaboration with the Support Committee for Battered Women, the Norfolk County District Attorney's Office, and Needham High School, the Youth Commission will implement Dating Violence Trainings for every 9th and 10th grader at Needham High School. In addition, workshops will be presented for the high school faculty.
- The Youth Commission will offer trainings as part of the Needham Adult Education program entitled "Critical Adolescent Issues" (suicide, alcohol, drugs, violence, and eating disorders); "Power Outage" (focusing upon what happens to adolescent girls' self esteem); and "Teen Dating Violence."
- Project VAN (Volunteers Around Needham), funded by the Rotary Club of Needham, will begin operation in the coming year and will enlist the support of Needham youth at a variety of community service sites.
- Two new offerings of "Extreme Looks" are planned in FY 1999.
- The Youth Commission will expand the Graduate/Undergraduate Internship Program in FY 1999 to include two Graduate Clinical Interns and one Undergraduate Program Intern. This will translate into 48 free hours of service each week to Needham youth and families.

COUNCIL ON AGING



Roma Jean Brown, Chairman, William T. Burke, Elizabeth Casey, Morris Dettman, Trudi J. Farnham, Helen Hicks, Eleanor Jacques, Vivian D. McIver, George Shannon, Nina Silverstein, Betsy Tedoldi, Sharon Souza, Director; Not Pictured: Ruth Moy

PURPOSE:

The Needham Council on Aging was established by Town Meeting in 1957, and continues to fulfill the original purpose which is to:

1. Identify the needs and concerns of Needham's elderly and retired persons and those approaching retirement age;
2. Design, promote, coordinate and implement services and programs to meet those needs and concerns; and
3. Inform the community and enlist support and participation of all citizens in this effort. The council on Aging is directed by a 12 member volunteer board appointed by the

Selectmen. The Board of Health, Park and Recreation Commission, Needham Housing Authority, School Department and the Library each nominate one member. The Board is responsible for determining the policies of the Council on Aging in response to the expressed needs of elders in the Town through annual surveys, a careful analysis of local needs as well as local and national standards of health care, recreation, education, and service needs.

The Stephen Palmer Senior Center is located at 83 Pickering Street where the professional Council on Aging staff oversees services and programs. Staff provide information, referrals, and assistance to elders and their families. The Center hours are Monday-Friday, 9:00-4:00 p.m. and 11:30 a.m. - 3:30 p.m. on Sunday. The Council on Aging office, located at the Stephen Palmer Center, is staffed 8:30 a.m. - 5:00 p.m. Monday through Friday throughout the year.

BUDGETARY DATA: TOWN BUDGET

A. Salaries	\$ 155,112
B. Purchased services	10,840
C. Expenses	4,121
D. Capital Outlay	0,000
E. Total	\$ 170,073
F. Number of Full time Employees:	4

G. Number of Part time Employees: 6

H. Number of Volunteers: 345 = 6 full-time equivalents

I. Other Sources of Support:

Friends of Needham Elderly, Inc.	\$ 13,700
Executive Office of Elder Affairs	
COA Formula Grant	22,617
Service Incentive Grant	2,600
SHINE Consortium Grant	20,710
West Suburban Elder Services	
Title III F Grant	4,000
Title III Bgrant	2,100
Mass Bay Transit Authority (MBTA)	13,000
Roche Bros. Shopper Bus Grant	2,250
Cultural Council Grant	750
Other Donations	1,500
TOTAL	\$ 83,227

FY'98 HIGHLIGHTS:

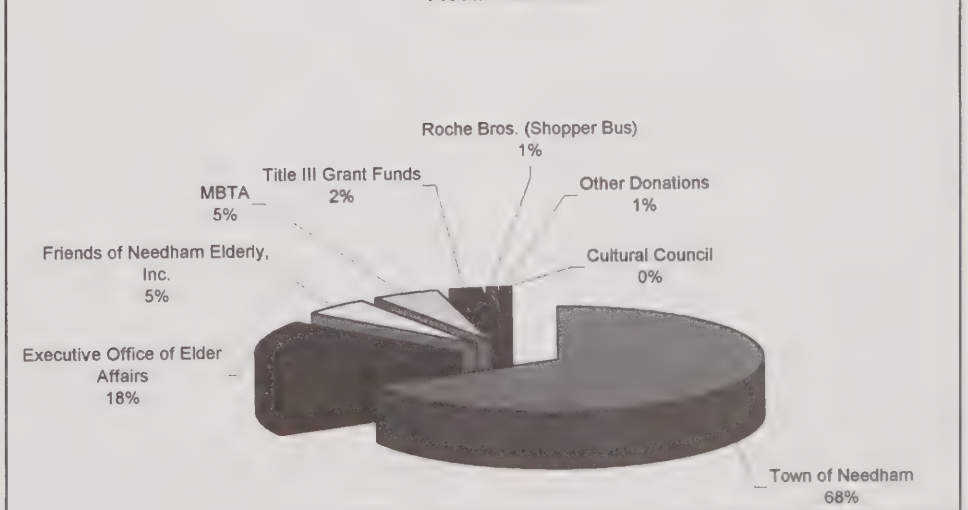
The Council on Aging celebrated its fortieth anniversary this past year and went through a transition of Executive Directors. The COA Board became involved in the search for a new Senior Center facility, as part of the Town-wide Facilities study that began in January. During the summer months, a group of forty seniors participated in tours of senior and community centers around the state as part of the effort to obtain a new center which will better meet the needs and interests of the Needham Senior community.

The Council on Aging served over 7,000 meals at the Senior Center in conjunction with West Suburban Elder Services, Inc. We answered over 41,000 inquiries of a general information nature for seniors and their families this year. Over 80 people per day came to the Senior Center for services, programs, or socialization.

Thanks to volunteer drivers who brought seniors to the Senior Center, over 1250 rides were provided to enable seniors to get to the Senior Center this year. Another 1050 rides to and from the Senior Center were provided by taxi under contract with the Council on Aging. "The RIDE", funded in part by the MBTA, provided another 4,600 rides to and from the Senior Center for persons unable to use our other transportation due to physical or mental handicaps. Volunteer monitors from the Needham Retired Men's Club who rode on the Shopper Bus, and Roche Bros. Supermarkets and the MBTA who funded the bus, provided over 1800 rides to Needham residents to do their grocery shopping. Overall, 8,700 rides were offered to Needham Seniors under the auspices of COA transportation services in FY'98.

Over 1500 people attended lectures and special programs throughout the year. Many others enjoyed socializing at the Senior Center. Our lending library, offered in conjunction with the Needham Free Public Library, loaned many books to Senior Center Readers.

**Financial Support for the Needham Council on Aging
Fiscal Year 1998**



HUMAN SERVICES

FY'99 FORECAST:

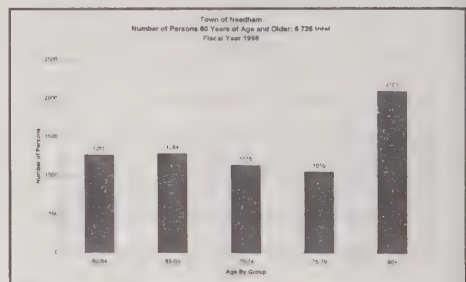
The Council on Aging is looking forward in the coming year to securing a location for a new Senior Center, and to continued work on the plans to make this a reality. The new Senior Center accreditation process, recently launched by the National Council on the Aging, will begin in the Fall. The goal is to achieve accreditation status by the end of this fiscal year.

We are aware of the pending retirement of our Associate Director after 18 years of service with the Council on Aging. The new fiscal year will continue to be one of transition because of this significant change in our staff.

The Council on Aging, in conjunction with Media One and the Executive Office of Elder Affairs, is pleased to be part of a monthly cable show, "Aging Well In Massachusetts". Each month, a different topic or program highlighting some aspect of senior wellness will be shown in this half hour show.

As people live longer and "age in place" in our community, it is necessary for the Council on Aging to respond to the need for assistance not only from the seniors themselves, but also from middle aged people who find themselves responsible for caring for their aging parents and/or other relatives. All are turning to the Council on Aging for information and assistance.

The Council on Aging Board remains committed to working with all Needham residents to insure adequate services for senior citizens and their families. The Council on Aging Board believes that Council on Aging services are essential to the quality of life in Needham.



COMMISSION ON DISABILITIES



Frank Der Sarkisian, Trudi J. Farnham, Maureen T. Gallagher, Jeanie Martin, James A. Mayo, Elaine Saunders, Carl F. Valente; Not Pictured, Dale Wise

The Needham Commission on Disabilities (NCOD) meets on the third Tuesday of the month with the following membership: 9 members; a majority of whom are disabled; one of whom must be a family member of a person with a disability; and one of whom must be an appointed municipal official.

PURPOSE

- to advise municipal officials, public and private agencies, and other individuals to ensure compliance with federal, state and local disability laws.
- to promote full integration of persons with disabilities into the community.
- to provide information, referrals, and technical assistance to individuals, businesses and organizations in all matters pertaining to disability issues.

- to participate in a variety of forums and media events to develop public awareness of persons with disabilities, and compliance with the Americans with Disabilities Act (ADA).

BUDGET

Expenses: \$138

FY 98 HIGHLIGHTS

- served in an advisory role to the Permanent Public Building Committee (PPBC) on matters of accessibility and compliance with ADA and Architectural Access Board (AAB) regulations.
- provided handicapped parking signs that comply with state regulations and town by-laws at a reduced cost to Needham businesses and town departments.
- continued to work in conjunction with the Needham Police to enforce proper usage of handicapped parking spaces.
- continued to work with local officials to ensure compliance with state and federal laws regarding placement and number of properly engineered curb cuts within the town.
- met with a representative of Kaestle Boos architectural firm to discuss issues concerning the Comprehensive Facility Study Committee and implementation of the Town of Needham's Transition Plan, which is required under ADA.
- set up a program to facilitate registration of persons with disabilities in the Enhanced 911 program, an automatic location identification system.
- worked with a liaison from the School Committee around issues of accessibility at High Rock and other school facilities.
- worked with local public and private organizations and businesses to ensure accessibility, especially in terms of building entrances and restroom facilities.
- worked with the Metro West Center for Independent Living in Framingham and

received technical assistance from them on a number of accessibility issues.

- submitted articles for publication in the Needham newspapers with highlights of monthly NCOD meetings.

FY 99 FORECAST/GOALS

- to continue to work with the Town of Needham to submit a completed Transition Plan, as required under ADA.
- to continue to work with PPBC to ensure that renovations to municipal buildings are in compliance with federal and state accessibility codes (ADA and AAB).
- to continue to offer properly worded handicapped parking signs to public and private organizations and businesses at a reduced cost.
- to enforce proper usage of handicapped parking spaces through a program that tickets violators, in conjunction with the Needham Police.
- to utilize funds accrued from handicapped parking fines for the specific benefit of the disabled community.
- to continue to work with town officials to bring the Town of Needham into compliance with state and federal regulations regarding curb cuts.
- to dispense information and to serve as a resource in the Town of Needham on issues relating to the disabled.
- to continue to facilitate registration of persons with disabilities in the Enhanced 911 program, an automatic location identification system, in conjunction with Needham Town Hall and the Needham Police.
- to encourage Needham citizens to participate in NCOD meetings. (There is currently one vacancy on our 9-member commission.)

For further information about the Needham Commission on Disabilities, and in particular about serving on the commission, please call NCOD at 455-7500.

CULTURAL AND LEISURE SERVICES

PARK AND RECREATION COMMISSION



Thomas J., Conroy, Jeffrey I. Meropol, Philip V. Robey, James Sargent, Richard Weitzen, Patricia Carey, Director

PURPOSE

Empowered by Chapter 45 of the General Laws of the Commonwealth of Massachusetts, the Park and Recreation Commission:

- Provides balanced, year-round recreation programming and leisure services for all ages.
- Serves as steward of over 300 acres of public park land and Town Forest and schedules recreation and athletic facilities.
- Manages Rosemary Lake and Pool as the principal aquatic recreation facility.
- Provides long range open space and recreation planning.
- Coordinates and provides support service for many organizations.
- Provides youth leadership training and volunteer resource development.

The five members of the Commission are elected to three year terms. The Commission meets on the second and fourth Wednesdays of each month.

BUDGETARY DATA

Salaries	\$285,400
Expenses	24,176
Purchase of Services	33,917
SUB TOTAL	\$343,493
Operating Capital	7,141
TOTAL REVENUE	\$350,634
	\$260,441

NUMBER OF EMPLOYEES

Full Time	4.0
Part Time	84

FY'98 HIGHLIGHTS

The benefits of Park and Recreation in communities across the country are endless, and the Needham Park and Recreation Commission is proud of the partnerships it has developed with many in the community to enhance the lives of all Needham residents.

ENVIRONMENTAL BENEFITS

- Worked with BU students, developing an engineering solution to plant growth in Walker Pond.
- The Needham Heights Association applied for a grant to work with Eliot School students to enhance Riverside Park. NHA is also working on the creation of a walking trail throughout Needham. The Commission is cooperating on both projects.
- Work began on a study of Rosemary Pool, which will include recommendations to improve environmental conditions.
- Work continued on the preparation of the Open Space Master Plan with the Conservation Commission and Planning Board.
- Members of Commission and staff participated in the Park Centennial Celebration in Boston, honoring 100 years of service by the National Recreation and Park Association.
- Sponsored a workshop on the Charles River in conjunction with Charles River Walking Club.

ECONOMIC BENEFITS

- Friends of Needham Youth donated funds for an end of the Summer Volunteer Thank You Party.
- Needham Women's Club donated full financial support for Summer Children's Theatre.
- Needham Cultural Council, Louise Condon Realty, and Needham Business Association donated funds in support of the Summer Arts in the Parks Concert Series.
- Needham Jr. Football donated replacement lights at Claxton Field, which provide safer lighting and are more cost efficient.

COMMUNITY BENEFITS

- Department offered 3-week program in June for Newman students.
- Members of the Commission and the Administrative Staff participated in the following committees: Townwide Facilities Study Committee; Deaconess-Glover Accident and Injuries Committee; Community Wellness Committee; Pollard School Council; Early Childhood Council; Fund for Needham Study Committee; Permanent Public Building Committee Appointment Board; Mitchell Playground Committee; Golf Club Lease Committee; Riverside Neighborhood Association.
- The Exchange Club donated the "people power" and funds to revitalize the DeFazio Tot Lot, and completed a two year project.
- ASAP, the Pollard After School Activities Program, was continued with the Pollard Middle School and completed its second full year of programs.
- In year 3 of the transition plan, the Mitchell and Hillside school fields were renovated, and are now scheduled by Park and Recreation and maintained by the DPW.
- Dinner and a Movie and Girls' Lacrosse Clinic were added to the Summer programs.

- The department continued a long term study on the possibility of a skate park for in-line skating and skateboards.
- The department continued to work with the Council on Aging, Library, Board of Health, and Youth Commission in a Community Service Departments study group.
- Mills Field Basketball Court was rehabilitated.
- The department continued to work with the Community Center Study Committee.
- Worked with other town departments to create monthly newspaper article explaining how town government operates.

INDIVIDUAL BENEFITS

- In conjunction with Needham Business Association, department created walking routes in New England Business Center at Needham.
- Department assisted Needham Track Club with the state finals of the Hershey Track Meet.
- Department participated in orientation session for new school staff members.
- With Deaconess-Glover Hospital and NPS Health and Physical Education, department offers Healthy Employees 2000 for town employees.
- Assistant Director was community representative on Massachusetts Recreation and Park Executive Board, and was voted to become President-Elect of the state association.
- Department continued effort to share information on playground safety.
- Director was named Massachusetts Recreation and Park Association's Community Professional of the Year.

FY'99 FORECAST

- Study the future of the entire Rosemary Pool and Lake Complex;
- Renovate fields at High Rock, High School, and Claxton;
- Rebuild High School Tennis Courts;
- Continue to work with Community Center Study Committee;
- Study the future of landfill for possible recreation site;
- Cooperate with other town departments on projects and grant applications;
- Share the benefits of parks, recreation, and leisure with community;
- Create a Perry Park Playground Rehabilitation Committee;
- Install signs for parks with donated funds from the Women's Club;
- Work with Riverside neighborhood to rebuild playground;
- Continue efforts to share information on playground safety;
- Support state, regional, and national initiatives of the National Recreation and Park Association.

LIBRARY

FREE PUBLIC LIBRARY



Lois C. Bacon, Thomas M. Harkins, Gail B. Hedges,
Sally B. Powers, Emily Salaun, Lois F. Sockol,
Gregory J. Shesko, Ann MacFate, Director

PURPOSE

The Board of Library Trustees has adopted the following Mission Statement: The Needham Free Public Library is a medium-sized library serving a suburban community. Its mission is to bring enlightenment, knowledge, inspiration, enjoyment, and culture to every member of the community. The Library's primary focus is to create and maintain a Popular Materials Library with a secondary focus as an Independent Learning Center and a Formal Education Support Center. The Library fulfills its mission by maintaining a high-demand, high-interest collection of print, non-print, and electronic media, and by providing timely, accurate, and useful information to community residents of all ages. The Library also serves as the archives for the Town of Needham. The Board of Trustees supports the American Library Association's Library Bill of Rights.

BUDGETARY DATA

Personnel	\$578,365
Purchased Services	35,658
Expenses	12,680
Books, Periodicals, Audio-Visual	<u>114,799</u>
Total	741,502
Number of Employees	
Full-time	12
Part-time	29

DEPARTMENTAL STATISTICS

Adult Department

Circulation (books, videos, CD's, cassettes, periodicals)	224,206
Books loaned to other libraries	6,915
Books borrowed from other libraries	4,087
Overdue notices and bills sent	2,676
Reserves placed	8,077
Total money returned to Town from fines, fees, lost books, etc.	\$51,864

Reference Department

Reference questions answered	21,279
Directional questions answered	3,423
Reference books checked out overnight	279
Number of people using Genealogy Room	252
Training workshops for using computerized catalog and Internet	65

Children's Department

Circulation (books, videos, records, CD's, cassettes, periodicals)	180,962
Reference questions answered	8,527
Overdue notices and bills sent	1,651
Reserves placed	421
Story times and other programs	167
Attendance at programs	2,923

Catalog Department

Adult books added to collection	5,724
Adult books withdrawn	4,410
Children's books added to collection	2,176
Children's books withdrawn	1,780
Records, CD's, and audio cassettes added	577
Records, CD's, and audio cassettes withdrawn	225
Videocassettes added	406
Videocassettes withdrawn	105
Total Collection	135,701

MISCELLANEOUS STATISTICS

Number of registered borrowers	18,961
Total hours open	3,080.5
Attendance	245,671

FY98 HIGHLIGHTS

July—The Exchange Club awarded the library's Fourth of July float the Independence Trophy. Circulation of books and other library materials increased by 1.9% during FY98. The Minuteman Library Network expanded its membership to include Newton, Brookline, Cambridge, and Lexington. The Minuteman Network added the following databases: The Boston Globe, Books in Print, GaleNet, ProCD, Phone Directory.

August—371 children registered for the Children's Room Summer Reading Club, Celebrate! Read! The children read 5,077 books. 102 bears and their owners attended the annual Teddy Bear Storytime. The library loaned its N.C. Wyeth painting, The Poacher, to the Ogunquit Museum of American Art for a show entitled, "Realism in 20th Century American Painting."

September—The Eastern Regional Library System was divided into four independent regions. Needham became a member of the Metrowest Massachusetts Regional Library System.

October—Use of e-mail for reserve, inter-library loan, and overdue notices was made available. The Friends of the Library Annual Book Sale broke all previous sales records.

November—The Massachusetts Board of Library Commissioners certified the Needham Public Library and awarded it \$26,925 in State Aid. The Friends of the Library sponsored a most successful trip to the Worcester Art Museum. The library provided space to house the resources of Preschool H.E.L.P., an informational and referral service for the community on child care and education issues.

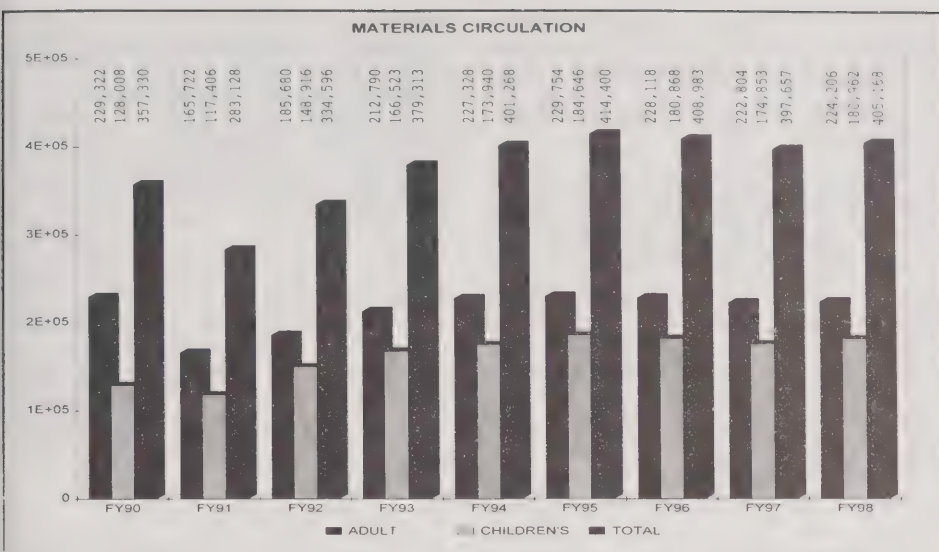
December—Internet access through the School Department was extended to the Children's Room.

January—Through its Library Connections Partnership Program, MediaOne donated two Broadband connections to the library.

March—The annual McIver series featured Jane Kamensky, David Hackett Fischer, and Sidney Milkis of the Brandeis University faculty. A Trustee, a Friend of the Library and a staff member represented the library at the Needham Education Foundation's Annual Spelling Bee.

May—The library's volunteers were honored at an indoor picnic that featured entertainment by SwingSet. The Board of Trustees reviewed favorably the "general concept" plans presented by Space Consultant Jay Lucker.

June—The Minuteman Library Network completed its TCP/IP upgrade, enabling the library to have additional graphical user interface Internet connections. The Trustees approved the Needham Garden Club's plans for improving the southwest corner of the library's grounds. The Garden Club received a PETALS Grant from the National Council of State Garden Clubs and Shell Oil Company for this project.



DONATIONS TO THE LIBRARY

In FY98 thirty-two people volunteered 1,599.75 hours of service to the library. Volunteers mended the library's books, straightened the library's shelves, and assisted with archival projects. In addition, the Library Trustees and Friends of the Library worked many hours presenting programs, book sales, and other special events. The Friends of the Library donated more than \$11,000 to the library during the fiscal year. This includes

both cash gifts and direct payments for items. Friends donations paid for books, videocassettes, CD-ROMs, children's programs, subscriptions to international magazines, museum passes, a bookcase for the books-on-tape collection. The Needham Garden Club continued its tradition of maintaining the outside flower gardens and contributing new plantings of shrubs, providing weekly plant and floral arrangements, purchasing the pass to the Garden in the Woods, and arranging for the visit of the Plantmobile. Other clubs, organi-

zations, companies, and individuals who made significant donations to the library in FY98 include:

The Needham Lions Club

Charles and Marnie Henderson

Century 21, The Alexanders,

The Rotary Club of Needham

Needham Daycare Providers

The Lebensfeld Foundation

The Knights of Columbus

The Newcomers Club

Present Charitable Trust

The Touchdown Club

Many other individuals made donations to the library during FY98. The Trustees and staff are grateful to all the groups and individuals who make donations to the library. You enrich the library's collections, as well as the lives of the people of Needham.

FY98 Memorials and
Cash Donations

\$13,437

FY99 FORECAST

The Trustees will develop a building/renovation plan and apply for a State Library Construction Grant.



Needham Public Library, housed at the Emery Grover Building 1898-1905

DEVELOPMENT PLANNING BOARD



Maurice Handel, Chairman, Devra G. Bailen, Frank Gallelo, Paul Killeen, Robert T. Smart, Jr., Lee Newman, Director

PURPOSE:

The Planning Board is charged with broad statutory responsibilities to guide the physical growth and development of Needham in a coordinated and comprehensive manner. Specifically, the Planning Board is legally mandated to carry out certain provisions of the Subdivision Control Law (M.G.L., Chapter 41, Section 81-K to 81-GG) and of the Zoning Act (M.G.L., Chapter 40A). These legal responsibilities are reflected locally in the Subdivision Rules and Regulations and Procedural Rules of the Planning Board and in the Town's Zoning By-Law. The specific services that the Planning Board provides are as follows:

- **Review and Approval/Disapproval of:**
 - Approval-Not-Required (ANR) Plans
 - Preliminary Subdivision Plans
 - Definitive Subdivision Plans, including ongoing administration
 - Site Plans of certain larger developments (major projects)*
 - Residential Compounds (RC's)*
 - Scenic Road Applications
- * includes Special Permit Decisions, with legal notices, public hearings, and written decisions; similar statutory procedures for Definitive Subdivision Plans
- **Review and Advisory Reports on:**
 - Site Plans of certain smaller developments (minor projects)
 - Applications to Board of Appeals for variances and special permits
 - Petitions for acceptance/discontinuance of public ways
- **Initiation, Development, and Presentation of Proposed Zoning Amendments to Town Meeting**
- **Preparation and Maintenance of a Master Plan** and related planning studies to guide future physical growth and development in Needham (including studies referred to the Board by Town Meeting)

- **Revisions to "Subdivision Regulations and Procedural Rules of the Planning Board" and printing of the same**
- **Reprinting of Town Zoning By-Laws and Zoning Map**
- **Provision of Information on Planning, Zoning and Development matters to the public (including residents, developers, and other government agencies)**

It is important to note that if these services were not performed, the Town of Needham would be without the administration of land use planning and zoning regulations, and would be subject to costly lawsuits from private developers and citizens alike.

BUDGETARY DATA:

Salaries	\$ 90,156
Expenses	<u>\$ 4,766</u>
Total	\$ 94,922

Number of Employees: 2 Full-time, 1 Part-time

FY'98 HIGHLIGHTS

As predicted in last year's Annual Report, fiscal 1998 saw a continuation of the pressures for growth, change, and development in Needham. Commercial development in the form of new and enlarged office buildings, industrial additions, and new retail space took prominence over residential development, at least as far as applications to the Planning Board were concerned. In its capacity as a special permit granting authority, the Planning Board processed 16 applications as "Major Projects" and 2 application as "Minor Projects" under the Site Plan Review By-Law.

The Board processed Definitive Subdivision Plans for: 5 new lots on Woodworth Road located off South Street; 5 new lots on Starr Ridge Road off Central Avenue; 5 new lots on Burr Drive off South Street; and 1 new lot on Glen Terrace off Glenwood Road. In addition, a total of 6 plans were endorsed "Approval-Not-Required (ANR)" under the Subdivision Control Law, meaning that the lots created or altered on such plans met minimum frontage requirements.

The Board of Appeals referred 36 applications for variances, special permits, and administrative appeals to the Planning Board last year; and as required by the Zoning By-Law, the Board reviewed each application and submitted its recommendations in writing to the Appeals Board.

The Planning Board was again successful at the 1998 Annual Town Meeting in having its proposed zoning amendments adopted. Five zoning articles were overwhelmingly approved at the 1998 meeting. The first article authorized certain types of facade modifications in the Center Business District to be reviewed by the Planning Board as Minor Project Site Plans rather than as Major Project Site Plans. Proposals for awnings and the replacement of windows and doors were afforded a shortened review period provided such changes conformed with the "Town of Needham, Design Guidelines for the Business District". The sec-

ond and third articles expanded the areas designated as flood plain and altered flood plain construction restrictions to conform with the Federal flood plain maps and restrictions. These changes allowed the Town's residents to remain eligible to receive federal flood insurance. Finally, the fourth and fifth articles established greater local controls on adult uses as defined in state law. Adult bookstores, adult video stores, adult paraphernalia stores, adult motion picture theaters, and adult live entertainment establishments were defined and placed under strict restrictions. By adopting these regulations, Town Meeting dramatically reduced the locations potentially available for adult uses in Needham and required any such businesses to obtain a special permit from the Board of Appeals.

In fiscal 1998, the Planning Board appointed a citizens' task force, consisting of business people, residents, and various civic groups, to study residents' concerns regarding the tearing down of smaller and less expensive houses and their replacement by much larger single-family houses. A final report with policy recommendations for land-use regulations is expected to be submitted to the Planning Board by the task force in fiscal 1999, which may lead to eventual revisions in the Zoning By-Law at the Annual Town Meeting in 1999.

The Three Rivers Interlocal Council, a regional planning organization, provided the Planning Board and the Planning Director with assistance on issues of traffic, land use and planning, and state policies and programs. Through its alliance with other members of the Council, Needham was able to influence development decisions affecting the future of the region.

FY'99 FORECAST

In anticipation of a continuation of the construction boom in the western suburban area of Boston, the Needham Planning Board expects to receive additional applications for new office buildings, retail complexes, and other nonresidential and residential development projects. Related to such a continuation, the Board will be looking for ways in which developers can make a contribution to improving the Town's infrastructure.

Planning, zoning, and development activities envisioned for fiscal 1999 include the interviewing, hiring, and monitoring of planning consultants to conduct an in-depth study of the zoning status of the Deaconess-Glover Hospital and the broader issue of health-care development throughout Needham. A citizens' task force consisting of business interests, residents of the immediate area and various civic groups will be appointed. Public workshops will be convened by the consultant. A final report with policy recommendations for land-use regulations is expected, leading to eventual revisions in the Zoning By-Law at the 1998 Fall Town Meeting.

In closing, the Planning Board welcomes your participation in any of its meetings and, in particular, your expression of agreement or disagreement on positions the Board has chosen to take regarding the development of the Town.

BOARD OF APPEALS



William Tedoldi, Chairman,
Michael Crowe, Susan Glazer,
Jon Schneider,
Not pictured: Gregory J. Condon

The Board of Appeals consists of three regular members and two associate members appointed by the Board of Selectmen, as authorized and established by General Laws, Chapter 40A, the Home Rule Charter Act and Article VIII of the General By-laws.

The Board met eleven times this fiscal year to hear 33 applications for special permits, 2 applications for variance, and 1 appeal from a decision of the Building Inspector. Of these, 26 applications for special permit were granted, 2 denied, 4 withdrawn and 1 determined to be a matter of right; the variances were denied. The appeal was denied.

Costs for the year included:

Salaries	\$5984
Expenses	3353
Total	\$9337

Filing fees for the Board of Appeals consist of

- 1) \$100 for applications for residential special permits, variances, and appeals from the Building Inspector's decision, and
- 2) \$200 for applications for non-residential special permits.

Applications may be obtained from and filed in the Office of the Town Clerk, Town Hall. All decisions of the Board are filed with the Town Clerk and are a matter of public record.

HOUSING AUTHORITY



Richard W. Gatto, Chairman,
Edward Cahalane,
Sharon O'Brien, Paulette J. Turner,
Not pictured: Bahi Reda,
Dennis Demarris, Director

zens, families and handicapped/disabled persons with limited incomes. The Authority administers a variety of housing programs designed to aid four hundred and eight (408) households including one hundred fifty-two (152) units of state-aided Chapter 667 housing for senior citizens and disabled persons, thirty (30) units of federally-assisted housing for families, forty-six (46) units of federally-assisted housing for elderly or handicapped individuals, seventy-two (72) of Section 8 existing housing, twenty (20) units under the Section 8 voucher program, eighty (80) units of state-aided of Chapter 200 veteran's housing, and two (2) staffed apartments under the state's Chapter 689 program serving eight (8) persons with special needs.

PERSONS SERVED

During the year, the number of unit turnovers has been:

Cook's Bridge (MA065-001)	5 units
High Rock (Chapter 200)	7 units
Linden-Chambers (Chapter 667)	12 units
Section 8	16 units

FY '98 HIGHLIGHTS

- The Authority has been approved for a modernization grant from HUD in the amount of \$157,500.00 for Comprehensive Improvements work at the Cook's Bridge Development. These funds will be used to repair and/or replace existing sidewalks, properly ramping them for easier handicap accessibility, as mandated by Section 504 requirements. Remaining funds will be used to install additional insulation in the family units to improve energy conservation, replace decaying retainage walls, replace weather damaged out-

side doors, install security fencing and install new tamper-proof security lighting.

- Modernization work was undertaken at the NHA's Linden/Chambers state elderly development. Work was completed on the installation of new boilers and an indirect fire hot water system. The new boilers and hot water system will be significantly more efficient than the prior system resulting in significant savings in terms of energy usage and cost.
- The State has granted the NHA \$360,000. in additional modernization funding to carry out kitchen replacement within its state 200-1 family development, the Authority's oldest housing complex.
- The NHA has formed a nonprofit for the purpose of home ownership initiatives and economic development.

FY '99 FORECAST

- The NHA and the Cook's Bridge Residents Association have worked in cooperation with the Needham School Department in an attempt to secure grant funding from the Massachusetts Department of Education for the purpose of operating a neighborhood after school tutoring program at the Cook's Bridge location in the Spring of 1999.
- The NHA is continuing its commitment to build strong resident representation through its resident organizations: The Needham Tenants Organization, The Cook's Bridge Tenants Association, and the Linden/Chambers Resident Organization.
- The NHA will continue to actively lobby to secure modernization funding that will assist the NHA in meeting its capital improvement needs.

STAFF

Five (5) Full Time Administrative Employees
One (1) Part-time Administrative Employee
Five (5) Full Time Maintenance Employees

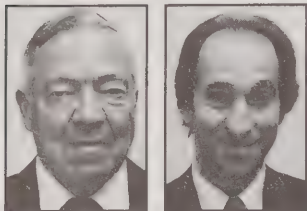
BUDGET DATA

The Needham Housing Authority functions with a number of operating budgets, one for each of the housing programs it administers. Expenditures for the various locally owned state-aided programs during the past year totaled \$873,427.00. Expenditures for the locally owned federally-assisted programs totaled \$313,629.00. In addition, \$211,640.16. was expended to operate the Section 8 Rental Assistance programs. Total expenditures for the year were \$1,398,696.16.

PURPOSE AND PROGRAMS

The purpose of the Needham Housing Authority is to provide Housing assistance to senior citi-

DEVELOPMENT CONSERVATION COMMISSION



Roy A. Cramer Chairman, Alan Brand, William Ely, John D. Marr, Jr., Carl Shapiro, Not pictured: Marsha Salett, Lisa Standley

PURPOSE

The main purpose of the Needham Conservation Commission is to protect and preserve the Town's wetlands and resource areas, to acquire and preserve land in Needham, and to educate Town citizens about the importance of wetlands' integrity. Other functions of the Commission include advising the Town on matters pertaining to use, management and protection of the Town's natural resources and open space, and management of conservation land, including the 325 acres at Ridge Hill Reservation. The Commission seeks to increase the open space resources of the Town through purchase, gift, or granting of conservation restrictions on property.

BUDGETARY DATA

The Commission is staffed by one part-time employee. The balance of the Commission's budget is allocated to purchasing of services (consultants, title examiners, etc.), publications, memberships, and office expenses.

Personnel	14,796
Purchase of Services	2,629
Expenses	740
Total	18,165

FY'98 HIGHLIGHTS

The Commission protects wetlands and resource areas by enforcing the State Wetlands Protection Act (Mass. G.L. Chapter 131, Section 40) and enforcing the Needham Wetlands Protection Bylaw with procedures outlined by Town rules and regulations. All alterations of land in Needham require land owners to determine if the land is a wetland or a resource area such as the 100 foot buffer zone protecting continually flowing streams and rivers, a protected wildlife habitat, a flood storage area or an aquifer protection district. This determination allows the Commission to review proposed projects and condition the work in a way that will not have an adverse impact on the wetlands and its many functions.

During FY'98, the Commission met formally 20 times and conducted 40 Public Hearings of which 16 were Notices of Intent, 14 were Requests for Determination of Applicability, and 10 were requests for Amendments to existing Orders of Conditions. In addition, the Commission issued 12 Certificates of Compliance for Orders of Conditions and addressed several violations of state and local rules and regulations by issuing Enforcement Orders. This level of filings reflects a continuing aggressive effort by developers to build near wetlands and other resources of the Town. Each project site is visited at least once by the Commission before an Order of Conditions is prepared; projects are monitored during construction by Commissioners or the conservation administrator; and before issuing a Certificate of Compliance the Commission requires proof that

the project as built is in conformance with the Order of Conditions. The Commission believes that its ability to properly hear these matters is severely strained with only a part time Conservation Officer.

In FY'98, the Commission reviewed and monitored projects ranging from the capping of the Landfill expansion of the Town Recycling Area, replacement of the Town's West Street Pump Station and sewer interceptor and force main, on-going development of subdivisions on South Street, Central Avenue, and in the Saddlebrook Estates area of Central Avenue, oversight of the MWRA Sewer Replacement/ Extension Project along the Charles River, and monitoring of the MDL/Rosemary Meadow contamination area. The Commission is grateful to the Boy Scouts of Needham for their continuing efforts to provide trail maintenance and repair work at the Ridge Hill Reservation.

FY'98 FORECAST

The coming year will continue to be a complex and busy one due to the number of proposals to develop marginal land as well as the implementation of the Rivers Protection regulations that established a protected resource area (200 feet from any continually flowing water body) with new performance standards. The Commission believes it cannot adequately address these matters without increased staffing. The Commission plans to increase its efforts to educate the public on the value of open space, passive recreation, and conservation. In particular, the Commission looks forward to implementing the trail maintenance and improvement plan on Commission administered lands.

The Commission encourages the involvement of all interested Needham residents in helping to preserve and expand the natural resources of the Town. The Commission meets twice monthly on Thursday evenings at 8:00pm, and all Needham citizens are invited to attend.

HISTORICAL COMMISSION



Carol Boulris, Norman A. Homsy, Elizabeth Rich, Dorothy Shearman, Not Pictured: Louis Hutchins

PURPOSE:

The Historical Commission was established in 1978 by Town Meeting during the Bicentennial of the United States of America. Commission mandates and directives are included in the Needham

General Bylaws and Massachusetts General Laws Chapter 40, Section 8D.

Duties of the five member Commission, which is appointed by the Board of Selectmen, include recording the historical assets of the Town for local and state inventories and reviewing any proposed demolition involving a listed property.

BUDGETARY DATA:

Budget:	\$513	Expenses:	\$513
No employees: All Commissioners are volunteers.			

FY'98 HIGHLIGHTS

1. Welcomed Needham resident Louis Hutchins, Curator of the Slater Mill Historical Site, Pawtucket, RI as a new member to fill the seat vacated by the resignation of charter member, Leslie G. Crumbaker.
2. Welcomed Leslie G. Crumbaker as an Associate member of the Commission, enabling the Town to benefit further from his master research on the Town's historic properties.

3. Removed the Haws-Newell house, 1793 Great Plain Avenue from the local inventory due to its total demolition and reconstruction.
4. Continued work on the Needham Business District and Needham's Hidden Parks Report

FY'99 FORECAST:

1. Compilation of a comparison of the demolition delay bylaws of Massachusetts communities and presentation of proposed bylaw changes at the Annual Town Meeting.
2. Publication of the Needham Business District report and the Hidden Parks of Needham brochure.
3. Distribution of information to publicize the purpose of the Needham Historical Commission (a Town body) and to differentiate it from the Needham Historical Society (a private organization).
4. Cooperation with other Town boards and committees with the goal of preserving Needham's Historic Properties in future Town planning efforts

DEPARTMENT OF FINANCE



Robert Addelson, Director of Finance, Robert W. Burke, Director of Management Information Services; Evelyn Poness, Treasurer and Tax Collector, Not pictured: Pamela LeDuc, Comptroller

In FY98, the Department of Finance consisted of the offices of the Finance Director, the Comptroller, the Treasurer/Collector, Management Information Services (MIS), and the Parking Clerk. The Department is responsible for the overall financial management of the Town including: advising the Town Administrator of the Town's financial condition, assisting the Town Administrator in preparing the five-year Capital Improvement Plan, cash management, debt management, tax and utility billing, miscellaneous billings for town services, risk management, audit review and internal financial controls, Minority Business Enterprise and Contract Compliance, reporting all aspects of the Town's data processing operations, and hearing appeals on and enforcing the collection of parking fines.

Employees Per Division

Director of Finance 1.0
Treasurer/Collector 4.8
Comptroller's Office 3.8
Data Processing 6.2
Parking Clerk 0.1
Total Staff: 15.9

Budgetary Data

Salaries \$618,660
Purchase of Service \$302,605
Expenses \$72,368
Capital Outlay \$124,518
Total \$1,018,151

FY98 HIGHLIGHTS

Much of the activity of the Department of Finance involves the day-to-day management of the Town's finances including \$54.5 million budgeted operating expenses, \$5.0 million in special revenue, \$7.8 million in capital project expenditures, and \$6.9 million in enterprise funds (water and wastewater), and \$1.6 million in trust funds. Further, the Department processes 300 to 600 payroll checks per week, 10 biweekly school administration and teaching staff checks, 400 weekly expense checks,

10,000 water/sewer bills and real estate bills quarterly, 28,000 motor vehicle excise bills, 3200 W-2 forms, 10,000 landfill stickers, and 900 garbage collection accounts.

In addition to maintaining the automated financial systems for the Town and the hardware that supports them, the MIS Division assists the Town Clerk's Office with automation of voter registration lists and the Town and school census. Also, it provides support for all personal computer users in general government including scheduling of user PC training. Finally, the MIS Division provides the School Department with a wide variety of student information required for State and Town reporting including: automated class scheduling, daily attendance tracking, and report card processing services. Approximately 13 percent of the resources in the MIS Division support the variety of data processing services provided to the School Department.

The offices of the Comptroller and the Treasurer/Collector are responsible for complying with a myriad of Municipal Finance laws and regulations as well as meeting the financial reporting requirements of the State and Federal Governments. These financial controls are essential in order to properly safeguard taxpayer dollars.

The Town is fortunate in that more than 98 percent of the property taxes due were paid on time. In addition, as a result of aggressive cash management by the Treasurer, the Town was able to earn \$1,242,000 in interest across all funds in Fiscal Year 1998 of which \$850,000 was credited to the General Fund.

In addition to the daily activities of maintaining the Town's data processing system, accounting for all financial transactions, administering the property tax billing and miscellaneous collection functions, and assisting in the development of the annual capital and operating budgets, other Finance Department activities in FY98 included the ongoing fine tuning of the Town's financial management software; the administration of the Town's insurance program; participating in the annual water and sewer rate setting process; the issuance of \$3.6 million in capital debt; and, the provision of assistance to Town departments in complying with the State's local government procurement laws.

A significant highlight of FY98 was the Collector's termination of her \$35,000 annual contract for off-site billing of motor vehicle excise, and the assumption of this function in-house utilizing the Town's financial management software and MIS' billing equipment.

Another significant highlight was the rebidding of the Town's property, liability and auto insurance with a resulting annual savings of \$100,000. This project was undertaken with the oversight and guidance of the Town's

Insurance Advisory Committee.

FY99 FORECAST

An important objective for the Department of Finance in FY99 will be to oversee the work of a telecommunications consultant who will coordinate the bidding and installation of a new phone system for general government departments and the school department.

Also during FY99, the Finance Department will:

1. update the five-year capital improvement plan
2. update revenue projections for the coming year
3. continue aggressive collections of delinquent taxes, motor vehicle excise and water and sewer charges
4. continue to train town staff on the use of computer hardware and new computer applications
5. issue approximately \$10 million in long-term debt in the Spring of 1999.

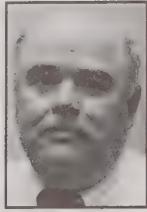
It is the goal of the Finance Department to serve the financial management requirements of all Town departments. In addition, it is the obligation of the Finance staff to safeguard the tax dollars and funds received from the residents and taxpayers of the community. The department is always looking for new ways to improve the efficiency of Town services and welcomes the comments of residents in this regard.



Needham High School, Class of 1899

FINANCE

FINANCE COMMITTEE



Thomas H. Hannigan,
Ronald P. Culgin, Ford Peckham,
Gerard Sullivan, Executive Secretary,
Not pictured: James G. Healy,
Susan Herman, John M. Hession,
Paul T. Milligan, Paul G. Smith

The Town Moderator appoints the nine members of the Finance Committee for three year terms. Their obligation is to present a balanced budget to the Annual Town Meeting for its review and approval.

Town government exists to provide services to its residents. Some services are mandated. Others are optional. Included are the education of our children, police and fire protection, maintenance of roads, water supply, health services, recreational and library facilities.

FY '98 HIGHLIGHTS:

- Approximately 18.5% of the Total Operating Budget is for Townwide Expenses. This includes Insurance, Street Lighting, Minuteman Assessment, Interest Payments, Contributory Retirement and Workers Compensation. Most of these are fixed costs.
- 80% of the remaining budget is SALARIES. That is a given before the Finance Committee begins its deliberations.
- Less than 4% of the Total Operating Budget goes to 10 departments. This includes Library, Park and Recreation, Council on Aging, Youth Commission, Health, Veterans, Conservation, the Historical and Disabilities Commissions, and the Planning Board.
- The School Budget is 46.5% of the Total Operating Budget, 56% of the Department Budgets. 85% of the Education Budget is for salaries
- 21% of the Education Budget is for Special Education. The State reimburses less than 9% of the mandated cost.

The Revenue to pay for these services is constant. Approximately 75% of the Town's revenue is from the Property Tax. By law, the town is limited to a 2 1/2% levy increase a year. Voters can opt to override this cap for special projects such as major construction. However, the town cannot levy more than 2 1/2% of the total full and fair cash value of all taxable real and personal property.

The remaining source of Revenue also remains constant. There have been no windfalls from

state aid. Motor vehicle Excise Tax, fees, permits and investment income do not vary to any appreciable degree. Increased costs offset increased fees for many programs.

Over the last few years the amount of total revenue from all sources has grown, on average, at a little less than 4% a year. Budget requests average a 6% increase. As mentioned above, the Finance Committee must present a balanced budget to Town Meeting for its approval.

We can project out, over three years, five years, what size the budget will be. What is difficult for the administration, departments, and the Town is projecting its needs, particularly for Capital Projects, in an orderly fashion. The Finance Committee, for the last few years, has attempted to maintain a constant level of debt service within the Operating Budget for these projects. The following chart is a summary of FY '99 Revenue Sources.

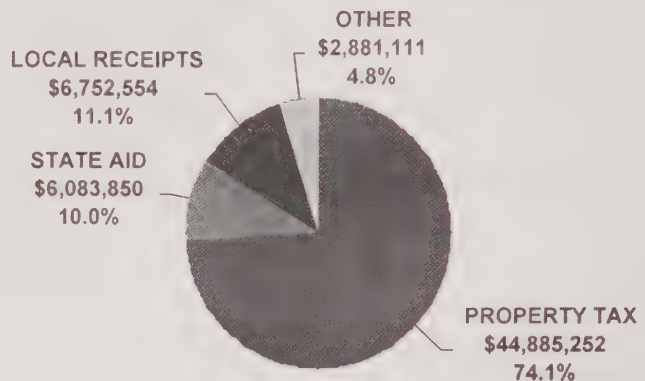
Other items of concern to the taxpayer are the growing Enterprise Funds. These are "pay as you go" funds that are not subject to Proposition 2 1/2. These include Water and Wastewater (Sewer) and the Transfer Station costs. The budgets of these funds are reviewed by the Finance Committee and presented to Town Meeting for approval. A good part of the cost involved is subject to outside forces such

as MWRA rates, additional mandates, and the tonnage cost of hauling our refuse elsewhere. Water conservation and recycling by concerned citizens can help slow down, if not reduce these spiraling costs. The following is a scenario of payments to the Town by a couple with two high school age children. They live in a four-bedroom house, have a dog, and two vehicles - an ATV and a sedan.

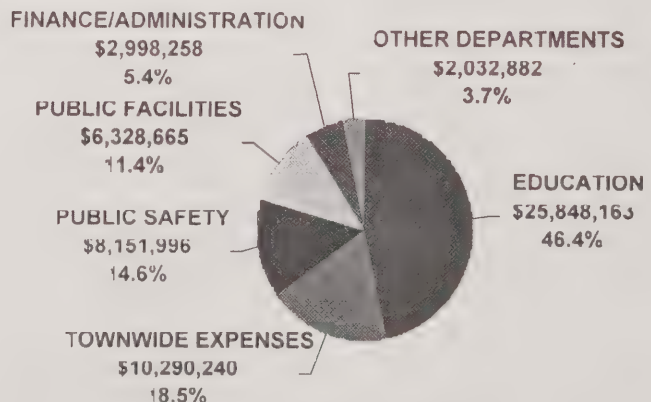
Real Estate Taxes	\$5,063
Motor Vehicle Tax	925
Sewer/Water	520
Landfill Sticker (2)	115
Athletic Fees, School	280
Misc. User Fees (School, Park & Rec.)	400
Dog licence (late fee) (Kids dog, Mom expected to pay for license)	35

For many that is an acceptable amount to live in Needham. We must remember, however, that many residents are on a single fixed income. The property assessment may be a little lower they may have a single older car, conserve water, need only one "dump" sticker but they license their dog on time. Proportionate to income, the rates are a concern.

FY '99 REVENUE SOURCES



FY '99 OPERATING BUDGET



BOARD OF ASSESSORS



Thomas Mulhern, James Weidenfeller, Administrative Assessor, Not Pictured: David R. Suny, James M. Zeiger

The Board of Assessors is responsible for the administration of a wide range of state laws pertaining to the estimation of value of real estate, personal property, motor vehicle excise, and boat excise in the community. Data pertaining to each property is maintained and constantly reviewed for accuracy. This data and data from sales of the previous calendar year form the basis for the ad valorem valuation placed on property. Upon completion of the town meeting process and receipt of warrants from state and county sources, the Assessors set the tax rate based on the classification shift selected by the Board of Selectmen.

FY'98 HIGHLIGHTS

The year following re-certification reflected the rebounding of the real estate market in the town. Some minor adjustments were made to valuations in specific areas, but overall values remained as they were in FY-97. New single family housing starts were the major item for our data collectors. There were also several new Condominiums that came on during the year. The commercial and Industrial sector

continued its recovery from the darker days of the early 90's. Vacancy rates were at one of the lowest rates in years. Many of the older manufacturing buildings in the Industrial Park were undergoing refitting into office or R&D use.

FY-98 saw major changes in the make-up of the Board of Assessors. In April the passing of long time Board member Herbert Dodge occurred. Mr. Dodge had been an Assessor for over 25 years. Also during the year John Milligan resigned his position on the Board. He was replaced by James M. Zeiger. Richard Finnegan, a Board member since 1982 relocated out of Needham because of new employment. He was replaced by David R. Suny. Both individuals were appointed by the Selectmen to fill the unexpired terms until the next Town Election.

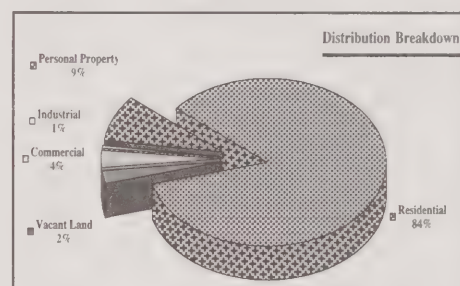
Staff:

- 1 Administrator
- 1 Assistant Administrator
- 1 Administrative Assistant
- 1 Deed Review & Betterment Specialist
- 1 Mapping Specialist
- 1 Motor Vehicle Specialist

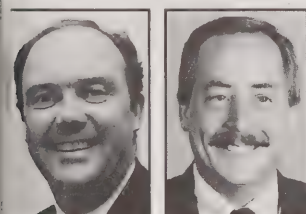
Property Valued in FY-97:

Single Family Residential:	8,213
Condominium:	449
Two Family:	365
Three Family:	24
Four Plus Family:	27
Vacant Land:	244
Misc. Residential:	3
Mixed Use:	24
Commercial:	380

Industrial:	54
Personal Property:	945
Total	10,736
Budget	
Salaries:	\$217,084
Revaluation:	\$25,000
Expenses:	\$11,400
Abatement Applications Filed:	156
Abatements Granted	60
Appellate Tax Board Cases:	13
Building Permits:	
Additions:	506
Demolitions:	82
Maintenance:	247
New Construction	121
Remodeling	575
Total Building Permits(From 1/1/97)	1531
Motor Vehicle Excise Tax	
Bills Processed:	23,000
Field Inspections	2,400
Commercial/Industrial Inspections	150



COMMISSIONERS OF TRUST FUNDS



Patrick Forde, Michael M. Monahan

The Commissioners of Trust Funds have the responsibility of overseeing the investment of the trust assets and the disbursement of trust payments. The investment goals of the Commissioners are the generation of current income in order to support the underlying wishes of the trusts and the preservation of capital. The disbursement of trust payments requires the Commissioners to strictly follow trust directives. It is intended that the investment goals of the Commissioners be consistent with our investment guidelines. The investment guidelines are designed to influence the major structure of the portfolio during times of normal investment activity. However, during those times that investment activity deviates substantially from the norm, our guidelines may be suspended temporarily with the unanimous approval of your Commissioners.

The Town and the beneficiaries of the trusts are fortunate to have four highly qualified professionals overseeing these trust assets. It is a responsibility that this not taken lightly by your Commissioners who hold themselves to the "prudent expert" rule of investment management. The prudent expert rule holds your Commissioners to act as careful, professional, experienced, and educated fiduciaries in trust and financial matters. "Prudence" is a design standard, not a performance standard. What this means is that your Commissioners are process oriented and not result oriented. Although our primary goal is preservation of principal, we use the latest investment models to generate the maximum current income and long-term capital growth through adequate diversification and minimization of unsystematic risk.

As of June 30, 1998, Needham's trust assets totaled \$2,419,000 this compares to \$1,543,000 in the last fiscal year. During FY98, your Commissioners disbursed approximately \$384,000 in benefits back to the community. There are 57 separate trusts divided into three main categories: Schools (31), Library (13), and Miscellaneous (13). The school trust funds include scholarships and athletics. The library trust funds are for the improvement of our library. The miscellaneous trust funds are for community

projects such as Park and Recreation and the Conservation Commission.

FY98 was a favorable environment for investment management. The stock market continued to break new ground almost daily. But, as we have seen in the past few months, the road ahead may not be as smooth. Your Commissioners are ever vigilant to preserve the trust capital and monitor our investment portfolio closely. The Commissioners keep a close watch on asset allocation in order to maintain a well insulated portfolio, especially during the turbulent markets that lie ahead.

It is with deep sadness that the Commissioners said good-bye to a dear friend with the passing of Bob Cutts this past summer. Words cannot truly express our deep appreciation for all of Bob's hard work and expertise. We have been very, very fortunate to have worked with such a special and wonderful person and our prayers and good wishes go to his family and friends.

The Commissioners would like to thank the citizens of Needham for their continued support and generosity, for the ground that we lay today will be there for our children and their children to follow.

If you have any questions about the Trust Funds, please contact any of your Commissioners or the Treasurers' Office.

FINANCE

TOWN OF NEEDHAM
GENERAL FUND
STATEMENT OF APPROPRIATIONS
AND EXPENDITURES
YEAR ENDED JUNE 30, 1998

	FY97 Continued Appropriations	Annual Town Meeting Appropriation	Special Town Meeting Amendments	Reserve Fund Transfers	Total Available for Expenditure	Disbursements to Date	FY98 Encumbrances	Total Expenditures	Unexpended Returned to Surplus
Summary									
Townwide Expenses	0	10,303,415	(17,307)	0	10,286,108	9,819,589	3,564	9,823,154	462,954
General Government	0	808,133	27,027	14,000	849,160	801,904	23,651	825,556	23,604
Finance	0	2,017,170	(72,343)	(523,587)	1,421,240	1,239,680	48,693	1,288,374	132,866
Education	0	24,495,998	(20,748)	0	24,475,250	23,945,478	529,772	24,475,250	0
Public Safety	0	7,642,959	83,700	173,137	7,899,796	7,880,070	321	7,880,391	19,405
Public Facilities	0	7,327,061	282,698	321,422	7,931,181	7,384,689	195,001	7,579,690	351,491
Human Services	254	663,999	0	13,528	677,527	631,989	4,366	636,355	41,426
Development	0	129,479	0	1,500	130,979	121,670	777	122,447	8,532
Cultural and Leisure	0	1,101,460	0	0	1,101,460	1,086,759	6,000	1,092,759	8,701
Grand Total	254	54,489,674	283,027	0	54,772,955	52,911,829	812,146	53,723,976	1,048,979
Townwide Expenses									
010 Street Lighting		399,750			399,750	374,521		374,521	25,229
011 Garbage Collection		97,000			97,000	93,660		93,660	3,340
012 General Insurance		348,200			348,200	278,693	876	279,569	68,631
013 Health Insurance		3,755,000			3,755,000	3,727,324		3,727,324	27,676
014 Workers' Compensation		330,000			330,000	138,244		138,244	191,756
015 Self Insurance		25,000			25,000	25,000		25,000	0
016 Unformed Service Self Insurance		140,000			140,000	144,577		144,577	(4,577)
017 Unemployment Compensation		30,000			30,000	27,312	2,688	30,000	0
018 Maturing Bonds		1,447,079	(22,000)		1,425,079	1,425,079		1,425,079	0
019 Bond Interest		419,693	(35,000)		384,693	380,025		380,025	4,668
020 Contributory Retirement		2,526,193			2,526,193	2,478,195		2,478,195	47,998
021 Chapter 32 Retirement		190,000			190,000	103,947		103,947	86,053
022 Minuteman Assessment		500,000	39,693		539,693	539,693		539,693	0
023 MBTA Commuter Parking		95,500			95,500	83,319		83,319	12,181
Subtotal		10,303,415	(17,307)	0	10,286,108	9,819,589	3,564	9,823,154	462,954
Board of Selectmen									
101 Salaries		293,065			293,065	290,523		290,523	2,542
102 Purchase of Service		117,958	(1,473)	4,000	120,485	99,199	18,028	117,227	3,258
103 Expenses		16,800	1,500		18,300	16,459	802	17,261	1,039
104 Capital Outlay		4,000			4,000	3,480	500	3,980	20
		431,823	27	4,000	435,850	409,661	19,330	428,991	6,859
Town Clerk									
Board of Registrars									
105 Salaries		143,744	(4,500)		139,244	139,244		139,244	0
106 Purchase of Service		19,050			19,050	13,581	2,800	16,381	2,669
107 Expenses		3,825	1,500		5,325	3,424	1,100	4,524	801
108 Capital Outlay		5,000			5,000	4,586		4,586	414
109 Tellers/Canvassers/Details		7,150			7,150	7,150		7,150	0
		178,769	(3,000)	0	175,769	167,985	3,900	171,885	3,884
Legal									
110 Salaries		50,808			50,808	51,043		51,043	(235)
111 Special Fees		130,000	30,000	10,000	170,000	164,909		164,909	5,091
112 Expenses		5,000			5,000	3,957	422	4,379	621
		185,808	30,000	10,000	225,808	219,909	422	220,330	5,478
Personnel Board									
113 Salaries		1,733			1,733	850		850	883
114 Purchase of Service		2,500			2,500	2,500		2,500	0
115 Ment Bonus		7,500			7,500	1,000		1,000	6,500
		11,733	0	0	11,733	4,350	0	4,350	7,383
Assessors									
201 Salaries		215,309			215,309	217,084		217,084	(1,775)
202 Purchase of Service		32,500			32,500	10,219	22,000	32,219	281
203 Expenses		11,400			11,400	6,428		6,428	4,972
204 Capital Outlay		1,000			1,000	275		275	725
		260,209	0	0	260,209	234,007	22,000	256,007	4,202
Finance Department									
205 Salaries		714,777			714,777	618,660		618,660	96,118
206 Purchase of Service		318,907			318,907	277,406	25,200	302,606	14,301
207 Expenses		83,770			83,770	70,875	1,493	72,368	11,402
208 Capital Outlay		18,900	7,750		26,650	24,518	0	24,518	2,132
		1,134,354	7,750	0	1,142,104	991,458	26,693	1,018,152	123,952
Finance Committee									
209 Salaries		13,907			13,907	13,955		13,955	(48)
210 Expenses		500			500	260		260	240
211 Reserve Fund		608,200	(80,093)	(523,587)	4,520			0	4,520
		622,607	(80,093)	(523,587)	18,927	14,215	0	14,215	4,712

301	School Department								
	Salaries	20,713,916	(20,748)		20,693,168	20,681,373	11,795	20,693,168	0
302	Purchase of Service	2,854,552			2,854,552	2,747,246	107,306	2,854,552	0
303	Expenses	701,444			701,444	489,952	211,492	701,444	0
304	Capital Outlay	226,086			226,086	26,907	199,179	226,086	0
		24,495,998	(20,748)	0	24,475,250	23,945,478	529,772	24,475,250	0
	Police								
401	Salaries	3,042,442	83,700	170,000	3,296,142	3,290,432		3,290,432	5,710
402	Purchase of Service	44,792			44,792	44,295	29	44,324	468
403	Expenses	100,059			100,059	99,966	83	100,048	11
404	Capital Outlay	124,480			124,480	124,480	0	124,480	0
		3,311,773	83,700	170,000	3,565,473	3,559,173	112	3,559,284	6,189
	Fire								
405	Salaries	3,896,132		3,137	3,899,269	3,899,268		3,899,268	1
406	Purchase of Service	82,875			82,875	75,460		75,460	7,415
407	Expenses	143,025			143,025	142,584	210	142,793	232
408	Capital Outlay	0			0	0		0	0
		4,122,032	0	3,137	4,125,169	4,117,312	210	4,117,521	7,648
	Building								
409	Salaries	202,047			202,047	197,117		197,117	4,930
410	Purchase of Service	1,400			1,400	1,089		1,089	311
411	Expenses	5,707			5,707	5,379		5,379	328
412	Capital Outlay	0			0	0		0	0
		209,154	0	0	209,154	203,585	0	203,585	5,569
	Public Works								
501	Salaries	2,321,792	23,000		2,344,792	2,254,578		2,254,578	90,214
502	Purchase of Service	1,374,731	125,000		1,499,731	1,232,679	120,911	1,353,590	146,141
503	Expenses	351,280	27,750	32,000	411,030	361,272	8,007	369,280	41,750
504	Capital Outlay	0			0	0		0	0
505	Snow & Ice	150,000		52,862	202,862	202,861		202,861	1
		4,197,803	175,750	84,862	4,458,415	4,051,391	128,919	4,180,309	278,106
	Building Maintenance								
507	Salaries	1,644,764	56,948	59,308	1,761,020	1,750,674		1,750,674	10,346
508	Purchase of Service	1,171,477	10,000	154,752	1,336,229	1,241,254	56,262	1,297,516	38,713
509	Expenses	267,337	10,000	22,500	299,837	295,932	1,728	297,660	2,177
510	Capital Outlay	39,600			39,600	33,677	8,092	41,769	(2,169)
		3,123,178	76,948	236,560	3,436,686	3,321,538	66,082	3,387,620	49,066
	PPBC								
511	Salaries	5,330	30,000		35,330	11,377		11,377	23,953
512	Expenses	400			400	384		384	16
513	Capital Outlay	350			350	0		0	350
		6,080	30,000	0	36,080	11,761	0	11,761	24,319
	Board of Health								
601	Salaries	206,871		3,528	210,399	210,285		210,285	114
602	Purchase of Service	68,241		10,000	78,241	72,246	3,705	75,951	2,290
603	Expenses	7,550			7,550	7,038		7,038	512
604	Capital Outlay	0			0	0		0	0
		282,662	0	13,528	296,190	289,569	3,705	293,274	2,916
	Veterans' Services								
605	Salaries	40,265			40,265	38,547		38,547	1,718
606	Expenses	3,700			3,700	143		143	3,557
607	Benefits	30,000			30,000	9,880		9,880	20,120
		73,965	0	0	73,965	48,570	0	48,570	25,395
	Youth Commission								
608	Salaries	120,479			120,479	118,854		118,854	1,625
609	Purchase of Service	2,140	260		2,400	2,400		2,400	0
610	Expenses	2,650	(260)		2,390	2,386		2,386	4
611	Capital Outlay	0			0	0		0	0
		125,269	0	0	125,269	123,640	0	123,640	1,629
	Council on Aging								
612	Salaries	163,530			163,530	155,111		155,111	8,419
613	Purchase of Service	11,500			11,500	10,839	661	11,500	(0)
614	Expenses	4,125			4,125	4,122		4,122	3
615	Capital Outlay	0			0	0		0	0
		179,155	0	0	179,155	170,073	661	170,733	8,422
	Commission on Disabilities								
616	Expenses	254	2,948		3,202	138		138	3,064
		254	2,948	0	3,202	138	0	138	3,064

FINANCE

701	Planning Board									
	Salaries	95,676			95,676	90,156		90,156	5,520	
702	Purchase of Service	2,960			2,960	2,960		2,960	0	
703	Expenses	1,947			1,947	1,083	724	1,807	140	
704	Capital Outlay	0			0	0		0	0	
		100,583	0	0	100,583	94,199	724	94,923	5,660	
	Conservation Commission									
705	Salaries	14,796			14,796	14,796		14,796	0	
706	Purchase of Service	3,429			3,429	2,576	53	2,629	800	
707	Expenses	1,150			1,150	740	0	740	410	
708	Capital Outlay	0			0	0		0	0	
		19,375	0	0	19,375	18,112	53	18,165	1,210	
	Board of Appeals									
709	Salaries	5,658		500	6,158	5,984		5,984	174	
710	Purchase of Service	3,000		1,000	4,000	3,243		3,243	757	
711	Expense	350			350	109		109	241	
		9,008	0	1,500	10,508	9,337	0	9,337	1,171	
	Historical Commission									
712	Expenses	513			513	22		22	491	
		513	0	0	513	22	0	22	491	
	Library									
801	Salaries	581,780			581,780	578,365		578,365	3,415	
802	Purchase of Service	35,659			35,659	35,658		35,658	1	
803	Books & Periodicals	114,800			114,800	108,800	6,000	114,800	0	
804	Expenses	12,780			12,780	12,780		12,780	0	
805	Capital Outlay	0			0	0		0	0	
		745,019	0	0	745,019	735,603	6,000	741,603	3,416	
	Park & Recreation									
807	Salaries	285,816			285,816	285,421		285,421	395	
808	Purchase of Service	35,778			35,778	33,918		33,918	1,860	
809	Expenses	24,347			24,347	24,176		24,176	171	
810	Capital Outlay	10,000			10,000	7,141		7,141	2,859	
		355,941	0	0	355,941	350,656	0	350,656	5,285	
	Memorial Park									
811	Expenses	500			500	500		500	0	
812	Capital Outlay	0			0			0	0	
		500	0	0	500	500	0	500	0	
	Grand Total	254	54,489,674	283,027	0	54,772,955	52,911,829	812,146	53,723,976	1,048,979

TOWN OF NEEDHAM WATER ENTERPRISE FUND STATEMENT OF APPROPRIATIONS AND EXPENDITURES YEAR ENDED JUNE 30, 1998

	FY97 Continued Appropriations	Annual Town Meeting Appropriation	Special Town Meeting Amendments	Reserve Fund Transfers	Total Available for Expenditure	Disbursements to Date	FY98 Encumbrances	Total Expenditures	Unexpended Returned to Surplus
Water Department									
908	Salaries	544,560	26,000		570,560	563,731		563,731	6,829
909	Purchase of Service	242,598			242,598	204,618		204,618	37,980
910	Expenses	201,255	(26,000)		175,255	166,497		166,497	8,758
911	Capital Outlay	52,500			52,500	48,209	2,422	50,631	1,869
912	MWRA Assessment	249,839	(95,618)		154,221	154,221		154,221	0
913	Emergency Repairs	50,000			50,000	39,315		39,315	10,685
914	Debt Service	484,120	(6,109)		478,011	483,682		483,682	(5,671)
		1,824,872	(101,727)	0	1,723,145	1,660,272	2,422	1,662,694	60,451

TOWN OF NEEDHAM SEWER ENTERPRISE FUND STATEMENT OF APPROPRIATIONS AND EXPENDITURES YEAR ENDED JUNE 30, 1998

	FY97 Continued Appropriations	Annual Town Meeting Appropriation	Special Town Meeting Amendments	Reserve Fund Transfers	Total Available for Expenditure	Disbursements to Date	FY98 Encumbrances	Total Expenditures	Unexpended Returned to Surplus
Sewer Department									
901	Salaries	425,196	(20,000)		405,196	400,805		400,805	4,391
902	Purchase of Service	104,696			104,696	95,446	2,200	97,646	7,050
903	Expenses	59,300			59,300	55,353	555	55,908	3,392
904	Capital Outlay	30,000			30,000	29,400		29,400	600
905	MWRA Assessment	3,660,488	301,003		3,961,491	3,982,467		3,982,467	(20,976)
906	Emergency Repairs	20,000	20,000		40,000	64,008		64,008	(24,008)
907	Debt Service	734,082	(109,542)		624,540	533,617		533,617	90,923
		5,033,762	191,461	0	5,225,223	5,161,096	2,755	5,163,851	61,372

TOWN OF NEEDHAM BALANCE SHEET GENERAL FUND JUNE 30, 1998

CASH		\$7,472,181
TAXES RECEIVABLE:		
	Personal Property	\$107,082
	Real Estate	\$692,619
		\$799,701
ACCOUNTS RECEIVABLE:		
	Motor Vehicle Excise	\$650,897
	Deferred Real Estate	\$538,303
	Tax Title	\$534,163
	Betterments	\$56,141
	Other Departmental	\$683,551
		\$2,463,055
LESS:		
	Allowance for Abatements & Exemptions	(\$772,078)
TOTAL ASSETS		\$9,962,860
LIABILITIES:		
	Deferred Revenue	\$2,549,903
	Other Liabilities	\$39,596
		\$2,589,499
FUND EQUITY:		
	Reserved For Encumbrances	\$897,911
	Reserved for Abatements & Exemptions	\$772,078
	Reserved for Continuing Appropriations	\$34,673
	Reserved for Expenditures	\$1,968,754
	FY99 Real Estate Revenue Collected in FY98	\$19,192
	Overlay Surplus	\$780,034
		\$4,472,642
UNRESERVED FUND BALANCE		\$2,900,719
TOTAL LIABILITIES AND FUND EQUITY		\$9,962,860

TOWN OFFICIALS ELECTED

Assessors

Thomas J. Mulhern '99
David R. Suny '00
James M. Zeiger '01

Board of Health

Edward V. Cosgrove '99
Alan K. Stern '00
A. Raymond Taurasi '01

Commissioners of Trust Funds

Michael M. Monahan, Chairman '99
Patrick C. Forde '01
Carl Schofield '99

Constables

Andrew Carson '99
Walter A. Wright '99

Housing Authority

Edward S. Cahalane '99
Richard W. Gatto '02
Sharon C. O'Brien '01
Paulette J. Turner '00
Sahi Reda '01

Moderator

Michael K. Fee '99

Park and Recreation Commission

Thomas J. Conroy '00
Jeffrey I. Meropol '01
Philip Robey '99
James F. Sargent '01
Richard P. Weitzen '00

Planning Board

Maurice P. Handel '00
Devra G. Bailen '03
Frank S. Gallelo '01
Paul Killeen '99
Robert T. Smart, Jr. '02

School Committee

Susan Welby '99, Chairman
Paul F. Denver '00
Michael F. Hourigan '00
Irwin Silverstein '01
Jeffrey J. Simmons '01
John A. Ullian '01
Gerald A. Wasserman '99

Selectmen

John H. Cogswell, Chairman '99
John D. Marr, Jr. '99
Daniel P. Matthews '01
Paul Theodore Owens '00
William M. Powers '00

Town Clerk

Theodora K. Eaton '01

Trustees of Public Library

Lois C. Bacon '01
Thomas M. Harkins '99
Gail B. Hedges '01
Sally B. Powers '99
Emily Salaun '00
Gregory J. Shesko '00
Lois F. Sockol '99

Trustees of Memorial Park

John S. Gallelo '99
John J. Logan, Jr. '00
Charles J. Mangine '01
Catherine Schneider '00
Ron Sockol '01

APPOINTED BY THE SELECTMEN

Animal Control Officer

Harry Greenlaw

Assistant Town Administrator/

Personnel Director

Kate Fitzpatrick

Deputy Custodian of Buildings and Grounds

David L. Scahill

Director of Emergency Management

Charles J. Rizzo

Director of Finance

Robert Addelson

Director of MIS

Robert A. Burke

Director of Public Works

Richard P. Merson

District Director of Veterans' Services/

Veterans' Burial Agent/Veterans'

Graves Officer

John J. Logan, Jr

REFERENCE

Fire Chief and Superintendent of Fire Alarm/ Forest Warden

Robert A. DiPoli

Inspector of Buildings

Armand H. Lavigne

Inspector of Plumbing and Gas

Andrew Brown

Robert Hapuman (sub)

Tim Sullivan (sub)

Inspector of Wiring

Ernest J. Hohengasser

James Trudeau (sub)

Richard Greaves (sub)

John Anzivino (sub)

Local Building Inspector

Daniel P. Walsh

Police Chief and Keeper of the Lockup

William G. Slowe

Sealer of Weights and Measures

William James Whalen

Superintendent, Garage

Stephen J. Hawes

Superintendent, Highway

Mark Flynn

Superintendent, Parks/Forestry

John Cusick

Superintendent, Water/Sewer

Robert A. Lewis

Town Administrator

Carl F. Valente

Town Comptroller

Pamela A. Leduc

Town Counsel

David S. Tobin

Treasurer and Tax Collector

Evelyn M. Poness

Truant Officer

William P. Matthies

Ad Hoc Insurance Advisory Committee

Albert H. Shapiro, Chairman

Richard Davis

Niels H. Fischer

William H. Niblock, Jr.

Paul Winnick

Annual Town Report Committee

Jane A. Howard

Carl F. Valente

Board of Appeals

William J. Tedoldi, Chairman

Michael A. Crowe

Jon P. Schneider

Susan Glazer, Associate

Gregory Condon, Associate

Cable Television Advisory Committee

Siben Dasqupta

John Fountain

Arnold M. Goldstein

Michael Greis

John J. Logan, Jr.

James Modena

Ford H. Peckham

Jon Tampkin

Commission on Disabilities

Frank DerSarkesian

Gertrude Farnham

Maureen T. Gallagher

Jeanie Martin

James A. Mayo

Elaine Saunders

Carl F. Valente

Colin T. Wise

Comprehensive Facility Plan Study Committee

Patricia M. Carey

Karl H. Clauset

John H. Cogswell

Mark A. LaFleur

Keith M. McClelland

Paul Theodore Owens

Lois Sockol

Betsy Tedoldi

Robert Wear

Conservation Commission

Alan Brand

Roy A. Cramer

William C. Ely

John D. Marr, Jr.

Marsha Salett

Carl Shapiro

Lisa A. Standley

Cultural Council

Robert Enos

Ellen Hunt

Trude Ide

Vasilia Laskaris

Rita Minihan

Harriet D. Tippet

Data Processing Advisory Board

Robert Addelson

John R. Allison

Charles J. Barbagallo

Karen Brown

Robert W. Burke

Paul Messias

Peter Vanamson

Irwin Weiss

Electric Utility Deregulation Study Committee

Gerald R. Browne

John Lebourveau

Ford H. Peckham

William M. Powers

Economic Development Advisory Committee

Gregory M. Casey

John Cogswell

Louise Condon

Richard W. Davis

John Edgar

Bruce Eisenhut

Richard Epstein

Bernard Ford

Jeffrey Friedman

George Guinta

Maurice Handel

Douglas Landry

Dori Mock

Lee Newman

James O'Sullivan

Paul Theodore Owens

Mary Lou Twickler

Carl F. Valente

Executive Committee of Needham

Emergency Planning

Wolfgang Floitgraf

Charles J. Rizzo

Herman Brown

Röbert DiPoli

Ronald Everett

James Horne

Richard Merson

Ruth Ruiter

Judy Starr

Mike Sukaskas

Carl Valente

Glover Enterprise Fund Committee

Paul Attridge

Cynthia Chaston

David Devine

Francesco DeVito

George H. Hoffmeister

Carl F. Valente (ex-officio)

Historical Commission

Carol J. Boulris

Norman A. Homsy

Louis Hutchins

Elizabeth Rich

Dorothy D. Shearman

Human Rights Committee

Bobbie Alicen

Anita Brown

Bud Cederholm

Foster Crook

Trudi Farnham

James Glickman

Helen Hicks

Karen Hoffman

Miriam Kronish

Bahi Reda

A. Fay Remnitz

William G. Slowe

Richard Valcovic

Michael Vaughn

MWRA Advisory Board

John D. Marr, Jr

Richard Merson

Stanley M. Stanzin

Needham Cemetery Study Committee

Andrew Brownlow

Gilbert W. Cox, Jr.

Daniel P. Matthews

Edward J. Reulbach

Elizabeth L. Rich

New England Business Center of Needham - EDAC

Lee Barnes

George Berejik

John H. Cogswell

Steve Duncan

John Edgar

Richard Epstein

Kenneth Epstein

Joe Feinteuch

Maurice Handel

Carmelo Iriti

Kathy Kelley

William Kelley

Helen Kraweicki

Mark Kukulski

Sam Mancini

John Nigohsian

Joe Norton

Jonathan Penn

Melanie Prescott

Alexander Prohodski

Howard Schwartz

John Terrazzino

Mary Lou Twickler

Physical and Biological Sciences Committee

MaryDiolys Anderson
David Bellinger
Andrew Bogdan
Thomas Fuller
ohn D. Genova
effrey Kleiman
Eric D. Leskowitz
William M. Powers
rwin Silverstein
Robert T. Smart, Jr.
Peter Valberg

Registrars of Voters

ohn W. Day
Barbara Doyle
Theodora K. Eaton
Mary J. McCarthy

Route 128 Add-a-Lane Study Committee

usan Bonaiuto
Gregory M. Casey
ohn H. Cogswell
ohn D. Marr, Jr.
effrey I. Meropol
Aaron Spira
Marilyn Stick

Solid Waste Disposal and Recycling Advisory Committee

Paul Adams
ohn H. Cogswell
William Dermody
ohn Frankenthaler
David Klebanoff
Robert A. MacEwen
Eugene McMorro
Kevin Pichetti
Barbara Popper
Stephen Popper
Michael Spector
Robert Therrien

Stephen Palmer Rent Review and Tenant Election Committee

Patricia Forte
Robert T. Heald
Gary Petrini

Water and Sewer Rate Structure Committee

ohn Cogswell
Richard Coleman
Paul Cooley
ohn P. Cosgrove, Jr.
ohn D. Marr, Jr.
Gerald Rovner
Stanley M. Stanzin
Bonnie JeanTower

APPOINTED BY THE MODERATOR

Finance Committee

Michael Crawford
Donald P. Culgin
Thomas H. Hannigan
James G. Healy
Susan R. Herman
Michelle M. McQuillen
Paul T. Milligan
Michael R. Nowlan
Ford H. Peckham
ohn P. Ryan,
Paul G. Smith, Jr.

Minuteman School Representative

Jeffrey W. Stulin

Personnel Board

James Brierley
Richard Creem
Vivian Hsu
Richard Lunetta
Richard A. Perras

APPOINTED BY THE ELECTED AND APPOINTED BOARDS

Administrative Assessor

James C. Weidenfeller

Assistant Town Clerk

Helen F. Atkinson

Building Construction and Renovation Manager

Steven Stewart

Director of Municipal Building

Maintenance

Mark Lafleur

Director of Public Health

Fredric L. Cantor

Director of Youth Commission

Jon Mattleman

Environment Health Agent

Jane Anderson

Executive Director, Council on Aging

Sharon Souza

Library Director

Ann MacFate

Planning Director

Lee Newman

Park and Recreation Director

Patricia M. Carey

Superintendent of Schools

Patricia Ruane

AIDS Advisory Committee

Harriette Almquist
Meg Hale
Karen Hubley
Michelle Leonard
Randi Lite
Inez V. McKenzie
Mary Lou Murphy
Barbara Popper
Brian Radley
Raymond Taurasi
Sally Toran
Barbara K. Turk
Marsha Weber

Community Center Study Committee

Patricia M. Carey, by Park and Recreation
William Dermody by Selectmen
Thomas M. Harkins by Library Trustees
Helen Jursek, by Finance Committee
Keith McClelland by Selectmen
Catherine Parnell by School Committee
Betsy Tedoldi by Council on Aging

Contributory Retirement Board

(under vote of Town 11/3/36)

Evelyn Poness, by Selectmen Chairman,
Kate Fitzpatrick, by Selectmen
Thomas A. Welch, II,
by vote of employees and retirees
John P. Krawiecki,
by vote of employees and retirees
Robert Mearls,
by members of the Retirement Board

Council on Aging

Roma Jean Brown, by Library Trustees
William T. Burke, by Selectmen
Elizabeth Casey by Board of Health
Morris Dettman by Selectmen
Trudi J. Farnham by Housing Authority
Helen Hicks by Selectmen
Eleanor Jacques by Selectmen
Vivian D. McIver by Selectmen
Ruth Moy by Selectmen
George Shannon by Park and Recreation
Nina Silverstein by School Department
Betsy Tedoldi by Selectmen

Design Review Board

Enrique Bellido
Eugene R. Bolinger
Dori B. Mock
Alexanfer Prohodski
Jeffrey M. Sackowitz
Fred Sklar
Stephen Tanner

Future School Needs Committee

James Lamenzo, by Moderator
Marjorie Margolis by Moderator
Loretta O'Grady by PTC President's Council
Michele McQuillen, by Selectmen
Frank Reardon by Finance Committee
Mary Riddell by League of Women Voters
Roger Toran by Planning Board
Kathryn F. Wescott by Board of Selectmen

Microwave Site Coalition

Carol Annelo
Herman Brown
Frederic Cantor
Gregory Condon
Foster S. Crook
Irene Dale
Regina Larose
Carl Shapiro
Irwin Silverstein
Andrea Wong

Municipal Building Maintenance Board

Patricia Carey
Ann MacFate
Richard P. Merson
Patricia Ruane
Carl Valente

Needham Government Review Study Committee

Theodore Baker, by Board of Selectmen
Robert D. Friedman, by Moderator
John M. Hession, by Moderator
Trudi Ide, by Board of Selectmen
Norman P. Jacques, by Board of Selectmen
William J. Miles, by Personnel Board
Paul Siegenthaler, by Moderator
Gerald A. Wasserman, by School Committee

Permanent Public Building Committee

Cynthia Chaston
John Connelly
George Kent
Gary Petrini
Edward Quinlan
Steven Rosenstock
Robert Wear

REFERENCE

School Safety Study Committee

Arthur Bloom
William A. Concannon
Cynthia Conturie
Deborah A. Coyle
John E. Griffin
Scott A. Muir
Marguerite Murphy
William M. Powers

Special Committee on School Finance

Patricia Boyd
James Brierly, Jr.
Jennifer Peck Fainberg
Kathy Killeen
Anthony Lucas
Christine Miara
James Hugh Powers
Nicholas Shaheen

Study Committee on Construction of New, Much Larger Single Family Homes

Janice Berns
Bruce T. Eisenhut
Richard W. Gatto
Gail Georgeson
George Guinta, Jr.
Eiblis N. Goldings
Paul S. King
Gregory L. Petrini
Michael R. Tedoldi
Mary Lou Twickler
Tracy P. Welch

Transportation Committee

Duncan Allen, by Selectmen
Neil O. Alper, by Planning Board
Richard Creem, by Selectmen
Jane A. Howard, by Moderator

Youth Commission

Joshua Brodsky, by School Department
Sleede Khalil, by School Department
Thomas Lambert, by Police Chief
Barbara Popper, by Finance Committee
John Romeo, by Moderator, Chairman
Colleen F. Schaller, by Park and Recreation
Lorene White, by School Committee
Deborah Winnick, by Selectmen

effective 12/1/98

TOWN MEETING MEMBERS

AT LARGE

Michael K. Fee	137 Fox Hill Road
Theodora K. Eaton	51 Bonwood Road
Paul Theodore Owens	31 Hamlin Lane #B31
Daniel P. Matthews	31 Rosemary Street
John H. Cogswell	1479 Great Plain Avenue
John D. Marr Jr.	70 Greendale Avenue
William M. Powers	47 Scott Road
Thomas J. Mulhern	18 LaSalle Road
Edward V. Cosgrove	17 Laurel Drive
Gregory John Shesko	70 May Street
Philip V. Robey	12 Fletcher Road
Maurice P. Handel	3 Rosemary Street
Susan Welby	857 Webster Street
John Gallello	30 Howland Street

PRECINCT A 1999

Dan P. Clemens	17 Elder Road
Richard S. Creem	12 Gary Road
Kathryn L. D'Addesio	210 Hillside Avenue
Jennifer Peck Fainberg	23 Lynn Road
Candida P. Monteith	71 Hillside Avenue
Ira A. Nagel	57 Noanett Road
Morton S. Parker	3 Wayne Road
Elsie Robinson	127 Noanett Road
Irwin Silverstein	44 Reservoir Avenue

2000

Alan J. Davidson	29 Elder Road
John D. Genova	11 Jennifer Circle
Richard D. Lempitski	23 River Park Street
Beverly E. Luskin	53 Wayne Road
Donald J. Newman	82 Noanett Road
Sylvia Shuman	29 Yale Road
Louise P. Swanson	20 Lakin Street
Doris O. Waldstein	20 Wayne Road
George Tarallo	76 Ardmore Road

2001

Michael A. Cerundolo	58 Taylor Street
Alan S. Fanger	81 Gary Road
Robert E. Hoban, Jr.	104 Hunnewell Street
Richard S. Luskin	53 Wayne Road
Madeline A. Page	757 Highland Avenue #219N
Karen N. Price	386 Central Avenue
Blanche D. Randall	62 Noanett Road
Sydney Randall	62 Noanett Road
Herbert Robinson	127 Noanett Road

PRECINCT B 1999

George Baierlein	50 Nardone Road
Robert D. Friedman	20 Glendale Road
Susan M. Glazer	64 Booth Street
John T. Kalamvokis	337 West Street
Elizabeth Ann Mills	177 Jarvis Circle
Steven Rosenstock	44 Bess Road
Harriett D. Tippet	78 Clarke Circle
Frederick Waldman	86 Damon Road
Gerald A. Wasserman	80 Rolling Lane

2000

William E. Duncan	161 Hunnewell Street
Ethan F. Fener	40 Tanglewood Road
John J. Frankenthaler	33 Brookside Road
Jason L. Levy	207 Rosemary Street #4
Albert E. Mills	177 Jarvis Circle
John R. Moynihan	89 Glendale Road
Richard B. Moody	22 Parish Road
Richard B. Remnitz	56 Pershing Road
John F. Whalen, Jr.	297 West Street

2001

Deborah H. Anastas	165 Brookside Road
John C. Halfrey	53 Hunnewell Street
Elisabeth A. Harris	82 Cynthia Road
Trudi R. Ide	160 Brookside Road
Sandra E. Jaszek	18 Crescent Road

Amy L. MacAvery	10 Hollow Ridge Road
Meredith P. Page	19 Glendale Road
A. Fay Remnitz	56 Pershing Road
Donald R. Steinberg	64 Damon Road

PRECINCT C 1999

Paul S. Alpert	116 Pine Street
Laurence G. Eaton	51 Bonwood Road
John W. Lebourveau	865 Central Ave. #G303
Ruth Z. Nadol	640 Charles River Street
Sheila G. Pransky	100 Mayflower Road
Lois Sockol	100 Mackintosh Avenue
Ron Sockol	100 Mackintosh Avenue
Charles A. Thompson	865 Central Avenue A406
Sarah Ann Toran	945 Central Avenue

2000

Jan D. Campbell	461 Charles River Street
Eugene S. Cioffi	70 Bonwood Road
Patrick J. Hyland	73 Stewart Road
Lyn Robbins-Jekowsky	530 High Rock Street
Daniel L. Lintz	71 Fuller Brook Avenue
David W. Lombard	44 Colonial Road
Daniel P. Messing	1725 Great Plain Avenue
Mary J. P. O'Brien	27 Carol Road
Sandra Balzer Tobin	59 Winding River Road

2001

Stanton H. Davis	54 Mackintosh Avenue
Evelyn S. Dow	494 High Rock Street
William H. Dugan, Jr.	29 Pine Street
Christine M. Harvey	80 Mackintosh Avenue
Everett E. Hicks	8 Howe Road
Carl J. Lueders	34 Whitman Road
Rita A. Russian	39 Alden Road
Jonathan D. Tamkin	60 Bonwood Road
Richard Lee Mitchell	517 Grove Street

REFERENCE

PRECINCT D 1999

ois C. Bacon 29 Harding Road
Carol Johnson Boulris 203 Country Way
Jonathan M. Davis 2 Woods End
Janice G. Hunt 969 South Street
Paul Killeen 66 Henderson Street
Antonio M. Manzoni 53 Henderson Street
Christine H. Miara 36 Marked Tree Road
Ally B. Powers 47 Scott Road
Robert A. Thorndike 28 Robinwood Avenue

2000

Carl H. Clauset, Jr. 69 Sylvan Road
Synthia Conturie 96 Robinwood Avenue
Bruce T. Eisenhut 106 Marked Tree Road
Roger B. Hunt 969 South Street
Christina W. Millet 623 Chestnut Street
Robert Todd Pratt 81 Sylvan Road
Thomas F. Soisson 128 Maple Street
Jonathan Tamir 188 Charles River Street
Audia B. Wallace 51 Yurick Road

2001

Jan E. Adams 1206 Great Plain Avenue
Paul Adams 1206 Great Plain Avenue
Athly L. Killeen 66 Henderson Street
Elizabeth B. Kloss 1200 Great Plain Avenue
Athleen M. Lewis 99 Linden Street
Donald L. Morrison 110 Country Way
Raymond Taurasi 119 Barrett Street
Patricia A. Taurasi 119 Barrett Street
Jane S. Webber 44 Oakcrest Road

PRECINCT E 1999

oy A. Cramer 137 Bradford Street
me A. Howard 119 Green Street
ord H. Peckham 26 Lawton Road
aryruth Perras 42 Oakhurst Circle
ark A. B. Walter 271 Edgewater Drive
avid Summergrad 62 Green Street
arol A. Tracy 1087 Webster Street
artin L. B. Walter 271 Edgewater Drive

2000

Michelle S. Ardini 86 Sutton Road
ary Jane Baker 914 Webster Street
ynthia J. Chaston 119 Fox Hill Road
Richard A. Carey 68 Emerson Road
ffrey A. Kleiman 103 Lawton Road
nda J. Novak 20 Old Farm Road
ary J. Uhl 16 Emerson Place
ndrea Jan Wizer 7 Emerson Road

2001

oma Jean Brown 30 Edgewater Lane
Lawrence R. Cummings 27 South Street
nn Dermarderosian 130 Fox Hill Road
ul H. Durda 149 Laurel Drive
nda J. George 110 South Street
mes G. Healy 767 South Street
an C. Martin 139 Plymouth Road
William J. Supple 75 Redington Road

PRECINCT F 1999

hn G. Bonvouloir 3 Carey Road
avid R. Cox 9 Morton Street
lbert W. Cox, Jr. 49 Colonial Road
omas M. Harkins 24 May Street
hn F. Milligan 25 Blacksmith Drive
mes Hugh Powers 263 Nehoiden Street

Ellen T. Sherman
Kathleen D. Whitney

145 Meadowbrook Road
75 Kingsbury Street

2000

Phyllis S. Fanger
Meg Hale
Jeffrey D. Heller
Elizabeth M. Keil
Edith B. Martin
Catherine R. Parnell
Donnell F. O'Duggan
Deborah S. Winnick

21 Oakland Avenue
48 Meadowbrook Road
1092 Central Avenue
43 Kingsbury Street
21 Newell Avenue
1189 Great Plain Avenue
125 Meadowbrook Road
12 Mallard Road

2001

Richard W. Davis
Robert F. Enos
Bernard H. Ford
Maurice P. Handel
Carolyn R. McIver
John J. Naughton, Jr.
Nicholas L. Shaheen
Ada W. Suydam

233 Nehoiden Street
38 Oakland Avenue
108 Garden Street
3 Rosemary Street
70 Pickering Street
61 Warren Street
310 Nehoiden Street
35 Carey Road

PRECINCT G 1999

Patricia B. Buckley
Frank S. Gallelo
Thomas M. Hefferon
William R. Herd III
Caroline D. Murray
Paul O'Connor
Kathleen J. O'Keefe
Jill E. Owens

155 Fair Oaks Park
29 Howland Street
43 Bradford Street
146 Warren Street
156 Fair Oaks Park
108 Wilshire Park
49 Coolidge Avenue
98 Wilshire Park

2000

Richard DeMeis
Michael P. Hourigan
Helen Jursek
John J. Romeo
Marsha C. Salett
Charlotte B. Sidell
Richard B. Weitzen
Mary S. Kenslea

126 Powers Street
267 Warren Street
45 Grant Street
22 Woodlawn Avenue
21 Eaton Road
40 Grant Street
66 Eaton Road
76 Wilshire Park

2001

Susan W. Abbott
Robert T. Heald
Joann Miles
William J. Miles
Barbara K. Popper
Sheila G. Pulver
Robert T. Smart, Jr.
Marcia B. Young

60 Otis Street
86 Eaton Road
96 Grant Street
96 Grant Street
31 Wilshire Park
24 Bradford Street
25 Mayo Avenue
76 Stevens Road

PRECINCT H 1999

Therese A. Buckley
David F. Devine
Jean W. Hutchinson
Robert Y. Larsen
Marjorie M. Margolis
Mark McDonough
Peter J. Meade
Michael A. Diener

42 Broad Meadow Road
141 Dawson Drive
240 Broad Meadow Road
150 Tudor Road
20 Mann Avenue
173 Fairfield Street
1085 Greendale Avenue
30 Kenney Street

2000

John A. Bulian
Brett N. Dorny
Peter Friedenberg
Ellen M. Grady
Thomas H. Hannigan Jr.
Daniel J. Kumin
Peter E. McElroy

86 Peacedale Road
26 Fairfield Street
42 Douglas Road
34 Whittier Road
28 Lancaster Road
50 Highgate Street
24 Woodbury Drive

Elizabeth L. Rich

43 Rybury Hillway

2001

John E. Comando
Penny E. Gordon
Nancy E. McCarthy
Caroline Q. McElroy
Eugene S. McMorro
LeRoy J. Nuttle
Joseph A. Thissell
Barbara R. Wilmot

54 Norwich Road
169 Broad Meadow Road
29 Sterling Road
24 Woodbury Drive
22 DeFrancesco Circle
60 Tudor Road
234 Valley Road
103 Hillcrest Road

PRECINCT I 1999

Paul H. Attridge
Nicholas J. Day
William C. Ely
David C. Gerber
Elizabeth A. Giles
Suzanne D. Hughes
Maureen T. McCaffrey
David L. Tannozzini

59 Powers Street
35 Morley Street
214 Hillcrest Road
3 Holmes Street
188 Highgate Road
6 Morningside Road
285 Manning Street
57 Melrose Avenue

2000

Gerald R. Browne
Alan D. Burt
Patrick C. Forde
Mary Lynn Hamlin
Keith M. McClelland
Lorraine M. Murphy
Michael T. Vaughn
Maura O. Walsh

242 Hillcrest Road
67 Washington Avenue
66 Washington Avenue
137 Hawthorn Avenue
110 Brookline Street
59 Beaufort Avenue
130 Lindbergh Avenue
49 Colby Street

2001

Peter W. Adams
Joanne Aliber
Neil O. Alper
Robert E. Chase
John W. Day
Paul F. Denver
Michele M. McQuillen
Paul G. Smith

134 Hillcrest Road
123 Beaufort Avenue
245 Brookline Street
74 Washington Avenue
35 Morley Street
7 Beaufort Avenue
9 Holland Terrace
35 Hawthorn Avenue

PRECINCT J 1999

Charles H. Cahill Jr.
Gregory M. Casey
John F. Connell
Deborah A. Coyle
Brian J. Hallahan
George F. Skinner
Betsy M. Tedoldi
Bonnie Jean Tower

111 Hoover road
309 Greendale Avenue
61 Lexington Avenue
16 Lexington Avenue
134 Richdale Road
118 Manning Street
68 High Street
55 Burnside Road

2000

Catherine J. Barker
Susan B. Condon
Foster S. Crook
Suzane M. Doisneau
Barbara J. Downs
Robert A. Downs
Alfred J. Murphy
Margaret A. Tucker

13 West Street
409 Webster Street
3 Thorpe Road
32 Hoover Road
51 Virginia Road
51 Virginia Road
12 Mark Lee Road
419 Webster Street

2001

Jane Butler-Lane
John P. Connelly
William R. Dermody
Richard W. Epstein
Michael J. Greis
Marcia C. Mather
Jane B. Murphy
Emily M. Salaun

312 Webster Street
41 LaSalle Road
12 Concord Street
75 Highland Terrace
384 Webster Street
179 Paul Revere Road
12 Mark Lee Road
101 Tower Avenue

Until 1905 and the building of the new Carnegie Library, two of the classrooms intended for use were converted into the Needham Public Library. The anticipated second floor auditorium complete with stage, was converted into classrooms. Soon it was acknowledged that there was a need for manual training and domestic arts classes resulting in recreational space being converted to new uses. Further demands for classroom space were made by the creation of a fifth or "normal" year in which graduates were prepared to teach in the town's primary schools.

At various times, attempts were made to provide wholesome lunches which were prepared by the girls and a teacher. The experiments were never successful despite the five cent sandwich cost! Until 1910, 11th and 12th graders from Dover were also accommodated in the school.

There were many positive notes. Enrollment significantly increased due not only to the population growth but also to an increasing number of 8th grade graduates going to the high school and staying to graduate. By 1920, classes numbered in the forties. Many more graduates were being accepted into advanced training, although the majority went directly to local jobs, particularly those associated with the knitting industry. The football team prospered, although it received no public financial aid and, until 1922 and the creation of Memorial field, played at Greene's Field.

In its early years the building received many gifts of framed photographs, plaster statuary of historic personages, and some works of art. The newly founded High

School Alumni Association and graduating classes often made presentations of such gifts. Particularly generous was the local jurist, long time school committee member, and Town Moderator, Judge Emery Grover. The building was eventually renamed to honor him.

In 1916 the town report included the following:

"Even with our limited appropriation for schools, \$2,646.60 was expended for repairs. The interior of the High School building needs extensive repairs. There is insufficient light in the rooms on account of the inadequate amount of window space and the condition of the ceilings and walls. It would be a very difficult problem to provide additional window space in a building of this type, but a considerable increase in the amount of available light can be obtained by repairing and whitening the ceilings, tinting the walls a lighter shade, and varnishing the standing finish.

Some of the plumbing is in poor condition. The electric clocks should be repaired. The window shades in nearly all the rooms and about twenty seats and desks should be replaced, and all the furniture varnished."

By the early 1920's, the building was totally inadequate both from a space and instructional point of view. In 1919 the High School enrolled 186 students, by 1923 this had increased to 320. Portable classrooms were in use even then. In 1921, a consultant reported: "The building and it's equipment are the poorest in the commonwealth for a school of its size. Not only does it lack practically every modern facility, but... it would be impossible,

without (prohibitive expense) to make it over into a modern structure."

A new high school was built just east of the old one which now became the junior high. (two classes). The inadequate size of the new school and the increased population at the Stephen Palmer elementary school resulted in the constant use of the Emery Grover for overflow classes.

In 1929 the current high school was built above Memorial Field. The outgrown high school became the junior high school, and the old Emery Grover housed an elementary school plus the Superintendent's office. At various times the ground floor space was also used for public health services.

Through the 1950's classrooms in the Emery Grover Building housed overflows or served as a special purpose (art-music) facility to meet the needs of the public schools. In 1944 the top floor was condemned and no longer used. As the school administration expanded, more office space was utilized by Directors of Physical Education, Music, and Guidance as well as the Superintendent and School Committee. By the 1960's, housing of the school administration became its sole use. The old auditorium was divided into office space. A large reading resource room occupied the old gymnasium. The Director of School Buildings moved to a ground floor office, and other administrative and service offices were housed within the building. For many years the School Committee held its meetings on the second floor of the building, however the lack of handicap accessibility has resulted in the school committee now holding its meetings elsewhere.

In August 1987, the Needham Historical Commission succeeded in having the Emery Grover Building accepted for inclusion in the National Register of Historic Places. The National Register is the nation's official list of important cultural resources. It includes buildings, districts, sites, structures and objects which retain their historical character and demonstrate some aspect of our local, state or national history. Inclusion in the National Register recognizes the Emery Grover Building not only as a 19th century building and Needham's oldest public building still in public use, but reminds us of the value of public education that our predecessors instilled in us one hundred years ago.



Emery Grover Building, circa 1910

"What You Should Do In Case of an Emergency"

NEEDHAM EMERGENCY MANAGEMENT

STOCK YOUR HOME

It's a good idea to stock a supply of food, water, and supplies for any emergency. Any season can bring disaster. Winter storms or summer heat waves could affect your ability to get to the store for food or medication.

1) WATER:

Each person's need for drinking water varies, depending on age, physical condition, and time of the year. The average person needs at least one quart of water or liquid to drink per day, but more would be better. Also, keep a couple of gallons on hand for sanitary purposes. Store in airtight containers and replace every two months.

2) FOOD:

Supplies should include enough nonperishable, high-energy foods to feed you and your family for up to three days. Examples: whole dry milk, canned fruit juices, dry cereals, bread and crackers, peanut butter, granola bars or cookies and canned meats. Place paper or waxed packages in a water-tight container; keep dry.

3) SUPPLIES and EQUIPMENT:

Keep the following items in one place so that you can get to them easily:

- a) Flashlights with extra batteries;
- b) A battery-operated radio with extra batteries;
- c) Blankets and sleeping bags;
- d) Paper plates and utensils, including bottle and can openers;
- e) Toilet articles and sanitary needs;
- f) First aid kit;
- g) Emergency phone numbers.

4) MEDICINES:

It is very important to keep an adequate supply of any medicines you take. If you are stranded in your home, or are asked to go to a public shelter, you can take your medicine with you.

Remember

For Public Safety, Fire, Police and Emergency Ambulance,
Dial "911"

EMERGENCY SHELTER LOCATION:

Harris Avenue, Pollard Middle School.

Emergency Management Information: (781) 455-7565.



*The Students of Needham High School
(Emery Grover Building)
Circa 1904-1907*

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

MONDAY, NOVEMBER 17, 1997

7:30 P. M.

NEWMAN SCHOOL

CENTRAL AVENUE

NEEDHAM

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Newman Elementary School in said Town on

MONDAY, THE SEVENTEENTH OF NOVEMBER, 1997

at seven thirty in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT - POLICE
 UNITS A & B**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Union, Units A & B, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Article 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

**ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT - POLICE
 SUPERIOR OFFICERS**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Articles 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 3: ACCEPT MGL CHAPTER 41 SECTION 108L

To see if the Town will vote to accept the provisions of Chapter 41 Section 108L of the Massachusetts General Laws, police career incentive pay program, to be effective on July 1, 1998; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Summary: M.G.L. Ch.41, Sec. 108L, if accepted by the town, provides for a career incentive pay program offering base salary increases to regular full time members of the

police department for furthering their education in the field of police work, as follows:

Police officers commencing the program after September 1, 1976 shall receive increases in their base salary as follows: 10% for an associates degree in law enforcement, 20% for a bachelors degree in law enforcement and 25% for a masters degree in law enforcement or a law degree. The percentages are not cumulative. The Commonwealth of Massachusetts shall reimburse the town for one half the cost of such payments upon certification by the Board of Higher Education based on information filed by the town on or before September first of each year.

**ARTICLE 4: AMEND CLASSIFICATION AND STANDARD RATES OF
COMPENSATION SCHEDULE**

To see if the Town will vote to amend the Classification and Standard Rates of Compensation Schedule, effective July 1, 1997, as adopted under Article 13 of the 1997 Annual Town Meeting by:

1. inserting the title "Building Construction and Renovation Manager" at the grade "M-3";
2. deleting the title "Control Clerk T-9"; and
3. deleting the grade TS3 after the title "Committee Secretary" and inserting in place thereof the grade "SS3";

or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 5: AMEND THE FISCAL YEAR 1998 BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts;

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
021	Minuteman Vocational Assessment	500,000	539,693
105	Town Clerk, Salaries	143,744	139,244
107	Town Clerk, Expenses	3,825	5,325
111	Legal, Special Fees	130,000	160,000
208	Finance, Capital Outlay	18,900	21,900
211	Finance Committee, Reserve Fund	608,200	434,807
301	School Department, Salaries	20,713,916	20,693,168
401	Police Department, Salaries	3,042,442	3,126,142
502	Public Works, Purchase of Service	1,374,731	1,574,731
503	Public Works, Expenses	351,280	381,280
507	Bldg Maintenance, Salaries	1,644,764	1,665,512
508	Bldg Maintenance, Purchase of Service	1,171,477	1,191,477

or take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 6: AMEND WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting, by deleting the amounts of money appropriated under some line items and appropriating new amounts; under the provisions of M.G.L. Ch. 44, Sec. 53 F 1/2;

Line			
Item	Appropriation	Changing From	Changing To
912	MWRA Assessment	\$ 249,839	\$154,221
914	Debt Service	484,120	478,011

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 7: AMEND THE WASTEWATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting; by deleting the amounts of money appropriated under some line items and appropriating new amounts; \$115,675 to be raised from the Wastewater Enterprise Fund Retained Earnings; under the provisions of M.G.L. Ch. 44, Sec. 53F 1/2;

Line			
Item	Appropriation	Changing From	Changing To
905	MWRA Assessment	\$3,660,488	\$3,961,491
907	Debt Service	734,082	624,540

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 8: AMEND GENERAL BY-LAW BY ADDING SECTION 2.2.1.6. ASSESSING OFFICE

To see if the Town will amend its General By-Laws by inserting the following new section:
“Section 2.2.1.6 Assessing Office: There shall be an Assessing Office which shall be under the jurisdiction of the Finance Director. There shall be a Director of Assessing respons4ble for the

Administration of the Assessing Office. The Director of Assessing shall be appointed by a five person committee composed of two Selectmen, two Assessors and the Finance Director. The Director of Assessing and his staff shall report to the Finance Director. The Finance Director and Town Administrator shall ensure that the Director of Assessing and his staff provide assistance to the Board of Assessors sufficient for the Board of Assessors to discharge its statutory functions. The Board of Assessors shall have access to all facts, figures, records and other information pertaining to its statutory functions, and shall be furnished with such information forthwith, in the form it may require when requested from the Finance Director or Town Administrator. The Finance Director shall consult with the Board of Assessors prior to submitting budget recommendations to the Board of Selectmen relating to staffing, technology, and other resources affecting assessing functions. The Board of Assessors shall retain its own budget with respect to ordinary and necessary expenses of the Board of Assessors as distinguished from the Assessor's Office. The Board of Assessors shall submit to the Finance Director, at least annually, its performance evaluation of the Director of Assessing; which shall be taken into consideration by the Finance Director in his/her performance evaluation of the Director of Assessing. The Director of Assessing shall not be terminated without prior consultation by the Finance Director with the Board of Assessors.”

Or take any other action relative thereto.

INSERTED BY: Committee to Study the Town's Assessing Function
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 9: APPROPRIATE FOR ASSESSING VALUATION STUDY

To see if the Town will vote to raise and appropriate the sum of \$75,000 to conduct a review of the Town's assessments of real estate, to be spent under the direction of the Board of Assessors and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Committee to Study the Town's Assessing Function
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 10: APPROPRIATE FOR HILLSIDE BOILER DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$18,000 for the Hillside School boiler design specifications, to be spent under the direction of the Municipal Building Maintenance Board, to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Municipal Building Maintenance Board
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 11: APPROPRIATE FOR HIGH SCHOOL ROOF DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$50,000 for the High School Roof Design Specifications, to be spent under the direction of the Permanent Public Building Committee and that to meet this appropriation the Treasurer, with the approval of the Board of

Selectmen, is authorized to borrow up to \$50,000 for a period of up to five years under M.G.L. Ch. 44, Sec. 7; or take any other action relative thereto.

INSERTED BY: Municipal Building Maintenance Board
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 12: APPROPRIATE FOR COMPREHENSIVE FACILITY STUDY

To see if the Town will vote to raise and appropriate the sum of \$85,000 for a comprehensive facility study of Town real estate and buildings, to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen/School Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 13: APPROPRIATE TO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of \$380,000 to the Stabilization Fund, as provided for under M.G.L. Ch. 40, Sec. 5B as amended; or take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 14: ACCEPT M.G.L. CH. 71 OF THE ACTS OF 1996 (VETERAN'S RETIREMENT INCENTIVE LEGISLATION)

To see if the Town will vote to accept Ch. 71 of the Acts of 1996, as amended by Ch. 188 of the Acts of 1996; or take any other action relative thereto.

INSERTED BY: Needham Contributory Retirement Board
FINANCE COMMITTEE RECOMMENDS THAT:

Summary of Ch. 71 of the Acts of 1996 - These acts amend M.G.L., Ch.32, Sec.3, g, (2) and Sec. 4, h, (1) to allow town employees, who have completed ten or more years of creditable service and who are veterans to purchase up to four years of creditable service corresponding to their period of active service in the armed forces.

ARTICLE 15 : AUTHORIZE THE SALE OF TOWN LAND - CHESTNUT STREET

To see if the Town will vote to authorize the Board of Selectmen to convey approximately 3,600 sq. ft. of land located on Chestnut Street, that is a portion of a lot of land shown as Lot 58 on Assessors Map Numbered 47, that was acquired by purchase for municipal off street parking purposes by authority of the vote of the 1950 Annual Town Meeting under Article 68, under such terms and conditions as the Board of Selectmen deems appropriate and proper; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 16: APPROPRIATE FOR LAND ACQUISITION

To see if the Town will vote to authorize the Board of Selectmen, on behalf of the town, to acquire by purchase for off street parking purposes all or part of a certain parcel of land, known as 25 Chestnut Road, consisting of approximately 9,453 sq. ft. of land and shown as Lot 61 on Assessors Map Numbered 47, raise and appropriate a sum of money for purchase of the real estate, demolition of any existing structures thereon, and the redesign and preparation of construction specifications of the Chestnut Street Parking Lot and determine how said sum shall be raised; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 17: APPROPRIATE FOR TRANSFER STATION BUILDING

To see if the Town will vote to raise and appropriate the sum of \$37,000 for construction of the Solid Waste Transfer Building; to be expended under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$37,000 for a period of up to 20 years, under M.G.L., Ch. 44; or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Permanent Public Building Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 18: APPROPRIATE FOR WATER TREATMENT PLANT

To see if the Town will vote to raise and appropriate the sum of \$3,000,000 for the engineering, design, construction and equipment, including the preparation of plans and specifications for a water supply treatment facility; to be spent under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to 30 years under M.G.L., Ch. 44, Sec. 8; said amount is in addition to the \$3,000,000 authorized and appropriated at the 1996 Annual Town meeting under Article 47; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 19: GRANTING OF EASEMENT - DUNCAN DRIVE

To see if the Town will vote to authorize the Board of Selectmen to grant sewer and drain easements to John E. Casey and Elaine J. Casey across town owned land abutting Old Greendale Avenue, in exchange for a grant of land from John E. Casey and Elaine J. Casey to the Town to enhance the town's access from Old Greendale Avenue to the town's land; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 20: ACCEPT M.G.L., CH. 44 SEC. 53F 1/2

To see if the Town will accept the provisions of Ch. 44, Sec. 53F 1/2 of the Massachusetts General Laws, to establish a Solid Waste and Recycling enterprise fund effective for fiscal year 1999; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Summary: A city or town, upon acceptance of M.G.L., Ch. 44, Sec. 53F1/2 may establish a separate account classified as an "Enterprise Fund", for a utility, health care, recreational or transportation facility. The account shall be maintained by the Town Treasurer, and all funds received from any source derived from all the activities of the enterprise shall be deposited in the account. At least 120 days prior to the beginning of each fiscal year an estimate of income and a proposed line item budget shall be submitted to the Selectmen. The Selectmen will make a recommendation to the town meeting, which will act upon the budget. Estimated income and the amount appropriated for the expenses of the enterprise shall be included in the current tax levy. If the estimated income is less than the total appropriation, the difference shall be added to the current tax levy. If the estimate income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges. If the enterprise incurs a loss, such loss will be included in the succeeding fiscal year's budget. A town that has accepted the provisions of Ch. 44, Sec. 53F 1/2 with respect to a designated enterprise may, in like manner, revoke its acceptance.

Given under our hands at Needham aforesaid this October 28, 1997.

Daniel P. Matthews, Chairman
John H. Cogswell, Vice Chairman
William M. Powers
John D. Marr, Jr.
Paul Theodore Owens

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

Dear Town Meeting Members and Town Residents:

Here is your 1998 Annual Town Meeting Warrant. This year there are 90 Articles dealing with the Town's business. The format of this year's Warrant is somewhat different than prior years. Following each Warrant Article is a brief narrative explaining the intent or background of the Article. This replaces information that previously appeared at the end of the Warrant. We hope you find this new format helpful.

Please be reminded that because of ongoing renovations at the Newman School, this year's Town Meeting will be at the POLLARD MIDDLE SCHOOL on Harris Avenue. Town Meeting begins on May 4, 1998 at 7:30 p.m.

Lastly, on Monday, April 27 the League of Women Voters will sponsor it's annual Warrant Meeting at 7:00 p.m. at the Pollard Middle School. This meeting, open to all residents, provides an opportunity to informally discuss and ask questions about any of the Articles that will come before Town Meeting. We hope that you can attend this informative meeting.

Board of Selectmen

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87th ANNUAL REPORT OF THE FINANCE COMMITTEE (MARCH 1998)

Fellow Citizens of Needham:

The Finance Committee is required by law to prepare a budget that balances authorized expenditures with projected revenues. The Finance Committee this year, as was the case last year, had sufficient projected revenues to at least meet the "level funded" budget requests of each department. In addition, as will be discussed in more detail below, the Committee was able to fund this year a portion - but far from all - of the requests made by the departments for increased funding to maintain the same level of Town services. The Finance Committee was once again faced with difficult choices as to how to allocate available revenue between the competing interests of the operating and capital needs of the Town.

The Finance Committee devoted substantial attention in its deliberations to the funding of capital projects and the level of debt being assumed by the Town. The Committee continues to be strongly of the view that when circumstances allow, at least some of the Town's capital needs should be funded with cash. The Committee therefore has recommended that \$328,015 in capital projects be funded with cash this year, and that a number of other projects be deferred unless additional revenue becomes available.

The Finance Committee proposes that no funds be withdrawn from the Town's savings account, the Stabilization Fund, to fund the FY99 operating budget. Town Meeting will recall that in both FY96 and FY97, circumstances dictated that \$250,000 be withdrawn from the Stabilization Fund to help fund operating expenses. The replenishment of the Stabilization Fund began at the Special Town Meeting in the fall of 1996 when the Finance Committee recommended, and Town Meeting voted, that \$500,000 be restored to the Stabilization Fund (using unexpected revenues from new growth). That action brought the then current balance of the Stabilization Fund to approximately \$1,050,000. Town Meeting will further recall that this past fall, at the Special Town Meeting in November, 1997, the Committee recommended, and Town Meeting voted, that an additional \$463,379 be restored to the Stabilization Fund, once again utilizing revenues from new growth. As a result of the vote at Special Town Meeting this past fall, the balance of the Stabilization Fund was increased to \$1,545,281. Given the substantial capital needs of the Town and the level of debt being carried, it is important that adequate reserves be maintained. It is the goal of the Finance Committee to maintain a Stabilization Fund equal to at least 2% of gross revenue and up to as much as 3% of gross revenue. The current balance in the Stabilization Fund rests at approximately the mid point of the range in which the Finance Committee recommends that the Stabilization Fund be maintained.

REVENUE

Total projected revenue available for appropriation to fund FY99 operating budgets is \$56,233,877. When appropriate adjustments are made to account for changes in the FY99 operating budget as a result of the creation of the Solid Waste and Recycling Enterprise Fund (established by vote at Special Town Meeting in November, 1997), the total projected revenue for FY99 represents an increase of \$2,223,387, or 4.12%, over revenue which was available for appropriation in FY98. Of this amount, however, \$780,000 is accounted for by the release of funds which had been previously held in overlay reserve accounts for FY95, FY96 and FY97.

A better measure of real increases in Town revenue is the rate of increase in the three principal components of the Town's revenue stream: (1) the property tax levy; (2) state aid; and (3) local receipts. For FY99, projected increases total \$2,182,778 and constitute an increase over FY98 of approximately 4%.

OPERATING BUDGET DELIBERATIONS

This past fall, the Finance Committee issued guidelines to all departments for the preparation of FY99 budgets. These guidelines again called for all departments to "level fund" all line items, except for mandatory step and longevity salary increases and the projected additional costs of statutorily mandated programs and other contractual obligations (in essence, those costs the Town cannot legally avoid without staff layoffs). In addition, the Finance Committee guidelines requested each department to identify and prioritize additional amounts necessary to maintain the same level of service provided in FY98. These level service requests from non-school departments alone totaled \$544,137. Finally, the Finance Committee requested departments to identify additional funding requests should funds be available.

A comparison of the "level funded" budget requests to the projected revenues for FY99 yielded a surplus of \$1,299,213. Of that amount, the Finance Committee is recommending that \$311,481 be allocated to cover additional "level service" requests by various departments other than schools. With respect to schools, the Finance Committee is recommending that \$520,625 be allocated to augment its level funded budget to achieve a number of prioritized requests to meet increased needs for FY99. The Finance Committee is further recommending that \$328,015 be utilized to fund capital projects with cash. Of the remaining balance, \$139,092, the Finance Committee is further recommending that \$57,875 be allocated to fund new levy supported debt obligations with regard to various additional capital needs of the Town, and \$17,500 be allocated to the financial warrant articles for the Tax Work-Off Program (Art. 18) and Hazardous Waste Collection Day (Art. 19). Finally, the Finance Committee is recommending that the balance be placed in the Finance Committee's Reserve Fund.

Of the \$311,481 in additional operating expenses, approximately \$31,000 relates to expense items in the "bare necessity" category (paper, postage, supplies, increased cost of routine maintenance, etc.). An additional amount totaling approximately \$212,000 relates to one-time costs to fix or replace items within the various Town departments or to fund smaller capital expenses. Within this same sum is an allocation of \$56,000 to fund certain repair and maintenance items recommended as priority items by the Municipal Building Maintenance Board. Finally, this sum also includes an allocation of \$20,000 for the Planning Board to fund a requested purchase of service to recodify the Zoning By-Law for the Town.

In addition to the items described above, there are new personnel costs in a few critical areas recommended for approval in this year's budget. They are:

- (1) Additional 4.5 hours of staff support, Board of Selectmen - \$2,900;
- (2) Upgrade firefighter to officer, fire prevention, Fire Department - \$1,200;
- (3) Park Department, grounds, DPW - \$13,700;
- (4) Senior Engineer/Co-op student, Department of Public Works - \$63,000 (net impact on FY99 operating budget of \$9,450 due to 85% contribution toward salary cost from Chapter 90 Funds and Enterprise Funds);
- (5) Administrative support, Board of Health, including recording secretary - \$4,500;
- (6) Increase social worker from .8 to full time, Youth Commission - \$6,316;
- (7) Reference Librarian, part-time 18.5 hours, Library - \$13,574;
- (8) Outreach worker, Council on Aging for additional 10 hours - \$7,190.

The net impact of these changes in personnel on the operating budget is \$58,830. The Finance Committee was persuaded during its deliberations that each of these requests is justified and warrants funding.

DEBT SERVICE AND CAPITAL

There is included in the Warrant a breakdown of the Town's debt service. The schedule breaks down debt into four categories: Hospital debt; levy supported debt; fee funded (landfill and water/wastewater) debt; and override debt. The principal and interest payments for Hospital debt, levy debt and the landfill portion of fee funded debt are included in lines 17 and 18 of the operating budget. The Water Enterprise Fund debt service is contained in line 907 of Art. 25. The Wastewater Enterprise Fund debt is contained in line 914 of Art. 26. The proposed budget for the newly created Solid Waste/Recycling Enterprise Fund is contained in Art. 27. The debt service on override debt is not covered by the operating budget.

After deliberations, the Finance Committee has recommended that thirteen capital projects be funded by debt supported by the levy: Art. 39, High School roof, \$575,000; Art. 40, DPW building roof, \$250,000; Art. 41, Hillside boiler replacement, \$150,000; Art. 48, High Rock School renovation and equipment, \$420,000; Art. 50, Handicapped Ramp construction, \$50,000; Art. 51, DPW vehicle replacement, \$191,550; Art. 54, sidewalk repair/resurfacing, \$65,000; Art. 64, Townwide Telephone System, \$300,000; Art. 65, computer upgrade - police/fire station, \$60,000; Art. 67, replacement of a Fire Engine, \$300,000; Art. 42, Elementary School roof repairs, \$60,000; Art. 45, High School extraordinary repairs, \$210,000; and Art. 28, School Technology Plan, \$200,000. The total impact on the FY99 operating budget for debt service is \$57,875. A further comment on levy supported debt is in order.

This year, throughout its deliberations, the Finance Committee considered the appropriate level for a recommended ceiling on levy supported debt. Historically, the debt management policies of the Town have recommended that general purpose (tax supported) debt service requirements be limited to 2% of gross revenues. This amount does not include debt service for enterprise-type capital or debt excluded from the limits of Proposition 2 1/2. Those same debt management policies have historically stated that total debt service, including debt exclusions and self-supporting debt, will not exceed 10% of gross revenues. Given the compelling capital needs of the Town and the current total debt obligations of the Town, which fall under the 10% of gross revenues guideline, the Finance Committee is persuaded that it is appropriate to amend the Town's debt management policies to limit annual levy supported debt to 3% of gross revenue. Within this amended guideline, the recommended levy supported debt for FY99, when projected out through FY' 03, maintains debt service within the 3% guideline and allows a reasonable margin for considering additional levy funded debt in each of those years as existing debt is retired. The Finance Committee will present its detailed report on the status of capital at Annual Town Meeting.

The Finance Committee is recommending for FY99 that the following capital requests be funded with cash: Art. 43, Mitchell School boiler design, \$18,000; Art. 46, High School gym renovation design, \$10,000; Art. 47, High School Auditorium renovation design, \$18,000; Art. 49, Pollard School furniture and equipment, \$48,000; Art. 55, renovation of High Rock/High School grounds, \$154,000; Art. 63, storm drain improvements (Pine Hill Road, Grove Street), \$30,000; Art. 70, Rosemary Pool maintenance, \$15,000; and Art. 72, computer upgrade (assessors), \$35,000. The total of proposed cash funded capital items is \$328,015.

The Finance Committee has disapproved for debt funding this year the following capital requests: Art. 44, improvements to the High School parking lot, \$350,000; Art. 51 (in part) for DPW vehicle replacement, \$133,050; Art. 52, multi-purpose trackless sidewalk tractor, \$65,000; Art. 53, purchase of material screener (Finance Committee has recommended continuing the funding for renting the material screener), \$128,000; Art. 56, Parish Road reconstruction, \$575,000; and Art. 57, improvements to Memorial Park parking lot, \$30,000.

The Finance Committee has also disapproved for cash funding this year Art. 68, emergency management radio equipment, \$31,000, Art. 69, replacement of the Fire Chief's vehicle, \$28,000 and Art. 71, repairs to fields, fences and buildings, \$25,000, totaling \$84,000.

The Finance Committee has directed considerable attention to the Enterprise Funds during its deliberations this year. At present, the Finance Committee is continuing its deliberations regarding the Enterprise Funds for Water, Wastewater and the Solid Waste/Recycling Transfer Station. Consequently, the Finance Committee is presently deferring its recommendation with regard to those capital items which are proposed to be funded from water and wastewater revenues. The Finance Committee will be making its recommendations in these areas at or before Annual Town Meeting.

CLOSING THOUGHTS

As with FY98, the Town fortunately finds itself in position to fund all of the Departments' level funded budgets while simultaneously funding some of the requested items necessary to maintain level services. The Town benefited from the release of substantial funds, \$780,000, from prior years' Overlay Reserve Accounts. Moreover, the uncertainty of unsettled collective bargaining agreements in FY98 has been resolved, with the exception of the Custodians' contract, and this has added a significant element of stability to the Finance Committee's deliberations of the FY99 budget.

The Finance Committee continues to feel, however, that fiscal vigilance must be the constant guide to the Town's financial management. Significant capital projects remain queued in the Town's Capital Improvement Plan, and the restraints of Proposition 2 ½ continue to challenge the Town's ability to maintain services and improve its capital resources.

The Finance Committee wishes to thank the Board of Selectmen, the Town Administrator and Finance Director, and all Department Heads and other Town officials and employees with whom we have worked this past year. The Chairman also wishes to thank each of the Finance Committee members, who have volunteered their time and worked so hard to examine the budgets and various capital requests presented to Finance Committee. In addition, I would like to personally acknowledge the invaluable contribution and tireless efforts by our Executive Secretary, Gerry Sullivan, now in his 12th year of service to the Finance Committee.

John P. Ryan, Chairman

Paul G. Smith, Vice Chairman

Thomas H. Hannigan, Jr., Past Chairman

James G. Healy, Past Chairman

Ronald P. Culgin

Paul T. Milligan

Ford H. Peckham

Susan R. Herman

Michael R. Nowlan

Executive Secretary, Gerard G. Sullivan

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47.	41	Appropriate for High School Auditorium Renovation Specifications	Board of Selectmen
48.	42	Appropriate for High Rock School Renovation and Equipment	Board of Selectmen
49.	42	Appropriate for Pollard School Furniture and Equipment	Board of Selectmen
50.	42	Appropriate for Handicapped Ramp Construction	Board of Selectmen
51.	43	Appropriate for DPW Vehicle Replacement	Board of Selectmen
52.	43	Appropriate for a Multi-Purpose Trackless Sidewalk Tractor	Board of Selectmen
53.	43	Appropriate for a Material Screener	Board of Selectmen
54.	44	Appropriate for Sidewalk Repair/Resurfacing	Board of Selectmen
55.	44	Appropriate for Renovation of High Rock and High School Grounds	Board of Selectmen
56.	44	Appropriate for Parish Road Reconstruction	Board of Selectmen
57.	45	Appropriate for Improvements to Memorial Park Parking Lot	Board of Selectmen
58.	45	Appropriate for West Street Pumping Station Construction	Board of Selectmen
59.	45	Appropriate for West Street Force Main Construction	Board of Selectmen
60.	46	Appropriate for West Street Interceptor Construction	Board of Selectmen
61.	46	Appropriate for Reservoir Street Pump Station Interceptor Construction	Board of Selectmen
62.	47	Appropriate for RTS Transfer Trailers	Board of Selectmen

<u>Article</u>	<u>Page</u>	<u>Descriptive Title</u>	<u>Inserted By</u>
47		Appropriate for Storm Drain Improvements	Board of Selectmen
47		Appropriate for Townwide Telephone System	Board of Selectmen
48		Appropriate for Computer Upgrade Police / Fire Station	Board of Selectmen
48		Appropriate for Police Radio System	Board of Selectmen
48		Appropriate for Fire Engine Replacement	Board of Selectmen
49		Appropriate for Emergency Management Radio Equipment	Board of Selectmen
49		Appropriate for a Replacement of Fire Chief's Vehicle	Board of Selectmen
49		Appropriate for Rosemary Pool Maintenance	Board of Selectmen
49		Appropriate for Repairs to Fields, Fences and Buildings	Board of Selectmen
50		Appropriate for a Computer Upgrade - Assessors	Board of Selectmen
50		Rescind Bond Authorization	Board of Selectmen
50		Appropriate for New Debt Service	Finance Committee
GENERAL BY-LAW ARTICLES / STATE LAW ACCEPTANCES			
51		Amend General By-Laws - Section 9.2.2.6 (Board of Health Regulations)	Board of Health
52		Accept MGL Chapter 40 Section 8G (Agreements for Mutual Police Aid Programs)	Board of Selectmen
52		Amend General By-Law 2.1.5 (Absences by Members of Appointive Committees)	Board of Selectmen
53		Accept MGL Chapter 143 Section 3Z (Local Building Inspector Authorized to Engage in Private Practice)	Board of Selectmen
53		Amend General By-Laws (Posting of Town Meeting Warrant)	Board of Selectmen
53		Amend General By-Laws (Determination by Two-Thirds Vote)	Board of Selectmen
54		Amend General By-Laws (Lien Uncollected Solid Waste Charges)	Board of Selectmen
54		An Act to Allow the Voters in the Town of Needham to Decide if the Town of Needham Shall Have a Horace Mann Charter School	Citizen's Petition
55		Resolution for School Committee to Reconsider the Horace Mann Charter School	Citizen's Petition
55		Amend General By-laws Section 1.15 (Three Year Operating and Capital Budget)	Citizen's Petition
TOWN MEETING COMMITTEES			
55		Continue Community Center Study Committee	Community Center Study Comm.
56		Continue School Safety Study Committee	School Safety Study Committee
56		Continue Solid Waste Disposal / Recycling Advisory Committee	Solid Waste Disposal/Recycling Advisory Committee
56		Continue the Needham Cemetery Study Committee	Needham Cemetery Study Committee
56		Continue the Needham Government Review Study Committee	Government Review Study Committee
56		Omnibus Article	Board of Selectmen

REVENUE SUMMARY: FY 97 - 99 (As Approved by the Board of Selectmen)

General Fund Only

	ACTUAL RECEIPTS FY 97	ESTIMATED RECEIPTS FY98	PROJECT RECEIPTS FY99
RECEIPTS:			
Motor Vehicle Excise	2,895,237	2,522,000	2,650,000
Transfer from Water Enterprise Fund	484,862	462,207	462,207
Transfer from Sewer Enterprise Fund	469,146	501,391	501,391
Trash Disposal Charges	598,980	771,728	0
Recreation	248,107	250,000	254,000
Licenses & Permits	562,877	500,000	500,000
Special Assessments	4,406	4,000	4,000
Fines & Forfeits	130,000	130,000	130,000
Investment Income	841,539	500,000	600,000
Hotel Tax	174,126	170,000	220,000
Transfer from Glover Ent. Fund	622,418	474,956	474,956
Other Receipts	127,399	37,000	37,000
MBTA Commuter Parking	138,402	115,000	115,000
Penalties and Interest	162,173	150,000	150,000
In Lieu of Taxes	107,673	90,000	95,000
Charges for Services	314,887	298,040	320,000
Fees	191,667	175,000	175,000
Library Charges	47,913	40,000	40,000
Rentals	24,200	24,000	24,000
Other	0	46,823	0
SUB-TOTAL	8,146,012	7,262,145	6,752,554
REVENUE:			
Real & Personal Property Tax Levy	41,492,045	43,352,009	44,885,252
State Aid	5,230,165	5,696,995	6,083,850
SUB-TOTAL	46,722,210	49,049,004	50,969,102
RESERVES:			
Undesignated Fund Balance (Free Cash)	2,038,000	2,301,407	1,968,754
Reserved for Appropriation - Parking	55,000	55,000	55,000
Overlay Surplus	0	99,000	780,000
Reserved for Appropriation - Landfill	70,000	292,000	77,357
Handicapped Parking Fines	0	2,435	0
SUB-TOTAL	2,163,000	2,749,842	2,881,111
TOTAL REVENUE	57,031,222	59,060,991	60,602,767
LESS-REDUCTIONS IN REVENUE:			
Overlay (reserve for abatements)	700,000	720,000	790,000
Cherry Sheet Offsets	440,504	451,598	451,598
Cherry Sheet Assessments	1,020,607	1,015,355	1,050,000
Snow Deficit	110,700	0	0
School Building Reimbursements	1,022,769	1,022,769	1,022,769
Transfer to Solid Waste Enterprise Fund	0	0	1,054,523
Overlay Deficits	730,592	14,528	0
SUB-TOTAL	4,025,172	3,224,250	4,368,890
AVAILABLE FOR APPROPRIATION:	53,006,050	55,836,741	56,233,877
OTHER RESERVES APPROPRIATED	250,000	0	0
TOTAL	53,256,050	55,836,741	56,233,877

SUMMARY: FY 97 - 99 OPERATING BUDGET (General Fund Only)

	EXPENDED FY 97	APPROPRIATED FY 98	RECOMMENDED FY99
<u>TOWN WIDE EXPENSES</u>	9,599,817	10,286,108	9,816,240
<u>DEPARTMENT BUDGETS:</u>			
Board Of Selectmen	407,155	431,823	454,100
Town Clerk	180,314	175,769	198,854
Legal	227,588	215,808	190,808
Personnel Board	11,345	11,733	19,233
Assessors	237,581	260,209	274,244
Finance	1,082,395	1,137,354	1,185,894
Finance Committee	13,875	581,214	1,398,856
Contributory Retirement	59,649	0	0
Education	22,635,998	24,475,250	25,848,163
Police	3,215,069	3,395,473	3,557,295
Fire	3,902,578	4,122,032	4,355,386
Building	195,523	209,154	220,337
Department of Public Works	4,076,465	4,352,803	2,872,113
Building Maintenance	3,032,276	3,163,926	3,387,289
Building Committee	6,254	36,080	67,630
Board of Health	270,172	282,662	292,198
Veterans Services	44,570	73,965	73,963
Youth Commission	112,031	125,269	135,190
Council On Aging	190,093	179,155	187,635
Commission on Disabilities	513	2,948	513
Planning Board	92,280	100,583	121,751
Conservation Commission	17,141	19,375	18,834
Board of Appeals	7,620	9,008	8,828
Historical Commission	50	513	513
Library	711,531	745,019	774,756
Park & Recreation	320,662	355,941	369,224
Memorial Park	500	500	500
DEPARTMENT BUDGETS SUB TOTAL	41,484,505	44,463,566	46,014,247
Financial Warrant Articles	10,000	40,000	17,500
Appropriate to Stabilization Fund	500,000	463,379	0
New Debt Service	36,766	11,688	57,875
Warrant Articles - Capital	0	572,000	328,015
TOTAL OPERATING BUDGET:	51,871,429	55,836,741	56,233,877

**OPERATING BUDGET RECOMMENDATIONS
FOR FISCAL YEAR ENDING JUNE 30, 1999**

Submitted by the Finance Committee

GENERAL NOTE: Fiscal year 1997 Expended column and fiscal year 1998 Appropriated column have been restated to reflect consolidated expense request grouping for fiscal year 1999.

		<u>EXPENDED FY97</u>	<u>APPRO- PRIATED FY98</u>	<u>RECOM- MENDED FY99</u>	<u>AMENDMENT</u>
<u>TOWN WIDE EXPENSES</u>					
(18.84% of Budget Total)					
010	Street lighting	388,803	399,750	399,750	
011	Garbage collection	93,660	97,000	97,000	
012	Insurance, general	350,724	348,200	358,000	
013	Health insurance	3,599,339	3,755,000	3,960,000	
014	Worker's compensation	469,543	470,000	450,000	
015	Prop. self insurance	15,000	25,000	20,000	
016	Unemployment compensation	16,938	30,000	30,000	
017	Maturing bonds	1,211,856	1,425,079	1,363,450	
018	Interest	267,756	384,693	289,626	
019	Contributory retirement	2,474,525	2,526,193	2,100,000	
020	Chapter 32 retirement	132,121	190,000	170,000	
021	Minuteman Voc. assessment	490,210	539,693	482,914	
022	MBTA Commuter Parking	<u>89,342</u>	<u>95,500</u>	<u>95,500</u>	
TOTAL: TOWN WIDE EXP.		9,599,817	10,286,108	9,816,240	
<u>GENERAL GOVERNMENT</u>					
(1.53% of Budget Total)					
BOARD OF SELECTMEN:					
101	Salaries	274,966	293,065	300,952	
102	Purchase of service	112,917	117,958	122,428	
103	Expenses	15,282	16,800	18,220	
104	Capital outlay	<u>3,990</u>	<u>4,000</u>	<u>12,500</u>	
	TOTAL	407,155	431,823	454,100	
TOWN CLERK/BOARD OF REGISTRARS:					
105	Salaries	137,224	139,244	149,219	
106	Purchase of service	20,856	19,050	22,750	
107	Expenses	3,426	5,325	4,025	
108	Capital outlay	0	5,000	2,000	
109	Tellers / Canvassers / Details	<u>18,808</u>	<u>7,150</u>	<u>20,860</u>	
	TOTAL	180,314	175,769	198,854	

GENERAL GOVERNMENT (Continued)

		EXPENDED	APPRO-	RECOM-	
		FY97	PRIATED	MENDED	AMENDMENT
			FY98	FY99	
LEGAL:					
10	Salaries	49,379	50,808	50,808	_____
11	Special fees	174,889	160,000	135,000	_____
12	Expenses	<u>3,320</u>	<u>5,000</u>	<u>5,000</u>	_____
	TOTAL	227,588	215,808	190,808	_____
PERSONNEL BOARD:					
13	Salaries	1,345	1,733	1,733	_____
14	Purchase of service	2,500	2,500	10,000	_____
15	Merit bonus	<u>7,500</u>	<u>7,500</u>	<u>7,500</u>	_____
	TOTAL	11,345	11,733	19,233	_____
TOTAL: GENERAL GOVERNMENT		815,057	835,133	862,995	_____

FINANCE

(1.98 % of Budget Total)

ASSESSORS:					
01	Salaries	203,945	215,309	226,044	_____
02	Purchase of service	24,736	32,500	32,500	_____
03	Expenses	8,900	11,400	14,500	_____
04	Capital outlay	<u>0</u>	<u>1,000</u>	<u>1,200</u>	_____
	TOTAL	237,581	260,209	274,244	_____

FINANCE DEPARTMENT:

05	Salaries	663,277	714,777	709,144	_____
06	Purchase of service	308,064	316,907	301,000	_____
07	Expenses	77,367	83,770	99,070	_____
08	Capital outlay	<u>33,687</u>	<u>21,900</u>	<u>76,400</u>	_____
	TOTAL	1,082,395	1,137,354	1,185,894	_____

FINANCE COMMITTEE:

09	Salaries	13,615	13,907	13,907	_____
10	Expenses	260	500	500	_____
11	Reserve fund	<u>0</u>	<u>566,807</u>	<u>1,384,449</u>	_____
	TOTAL	13,875	581,214	1,398,856	_____

CONTRIBUTORY RETIREMENT:

12	Salaries	46,689	0	0	_____
13	Purchase of service	8,750	0	0	_____
14	Expenses	4,210	0	0	_____
15	Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	_____
	TOTAL	59,649	0	0	_____

TOTAL: FINANCE	1,393,500	1,978,777	2,858,994	
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		EXPENDED FY 97	APPRO- PRIATED FY 98	RECOM- MENDED FY 99	AMENDMENT
<u>EDUCATION</u>					
(46.10% of Budget Total)					
SCHOOL DEPARTMENT:					
301	Salaries	19,020,151	20,693,168	21,860,239	_____
302	Purchase of service	2,688,317	2,854,552	2,932,704	_____
303	Expenses	701,444	701,444	865,006	_____
304	Capital outlay	<u>226,086</u>	<u>226,086</u>	<u>190,214</u>	_____
	TOTAL	22,635,998	24,475,250	25,848,163	_____
TOTAL: EDUCATION		22,635,998	24,475,250	25,848,163	_____
<u>PUBLIC SAFETY</u>					
(14.73% of Budget Total)					
POLICE:					
	Salaries-regular	2,399,480	2,713,450	2,795,594	_____
	Salaries-overtime	590,231	412,692	433,327	_____
401	Total salaries	2,989,711	3,126,142	3,228,921	_____
402	Purchase of service	42,331	44,792	44,792	_____
403	Expenses	90,839	100,059	122,382	_____
404	Capital outlay	<u>92,188</u>	<u>124,480</u>	<u>161,200</u>	_____
	TOTAL	3,215,069	3,395,473	3,557,295	_____
FIRE:					
	Salaries-regular	3,274,884	3,441,132	3,638,486	_____
	Salaries-overtime	445,000	445,000	445,000	_____
	Salaries o/t alarm div.	10,000	10,000	10,000	_____
405	Total salaries	3,739,884	3,896,132	4,093,486	_____
406	Purchase of service	57,723	82,875	118,225	_____
407	Expenses	87,985	143,025	143,675	_____
408	Capital outlay	<u>16,986</u>	<u>0</u>	<u>0</u>	_____
	TOTAL	3,902,578	4,122,032	4,355,386	_____
BUILDING:					
409	Salaries	188,116	202,047	212,430	_____
410	Purchase of service	2,260	1,400	1,500	_____
411	Expenses	4,847	5,707	5,607	_____
412	Capital outlay	<u>300</u>	<u>0</u>	<u>800</u>	_____
	TOTAL	195,523	209,154	220,337	_____
TOTAL: PUBLIC SAFETY		7,313,170	7,726,659	8,133,018	_____

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

		EXPENDED FY97	APPRO- PRIATED FY98	RECOM- MENDED FY99	<u>AMENDMENT</u>
<u>PUBLIC FACILITIES</u>					
(1.32% of Budget Total)					
<u>PUBLIC WORKS:</u>					
1	Salaries	2,170,524	2,321,792	1,986,982	_____
2	Purchase of service	1,277,399	1,499,731	427,876	_____
3	Expenses	330,321	381,280	307,255	_____
4	Capital outlay	0	0	0	_____
5	Snow & Ice	<u>298,221</u>	<u>150,000</u>	<u>150,000</u>	_____
	TOTAL	4,076,465	4,352,803	2,872,113	_____
<u>BUILDING MAINTENANCE:</u>					
6	Salaries	1,569,392	1,665,512	1,732,271	_____
7	Purchase of service	1,187,278	1,191,477	1,333,633	_____
8	Expenses	235,606	267,337	265,385	_____
9	Capital outlay	<u>40,000</u>	<u>39,600</u>	<u>56,000</u>	_____
	TOTAL	3,032,276	3,163,926	3,387,289	_____
<u>PERMANENT PUBLIC BUILDING COMMITTEE:</u>					
0	Salaries	1,549	35,330	65,330	_____
1	Expenses	4,705	400	800	_____
2	Capital outlay	<u>0</u>	<u>350</u>	<u>1,500</u>	_____
	TOTAL	6,254	36,080	67,630	_____
TOTAL: PUBLIC FACILITIES		7,114,995	7,552,809	6,327,032	_____
<u>HUMAN SERVICES</u>					
(2.22% of Budget Total)					
<u>BOARD OF HEALTH:</u>					
1	Salaries	195,507	206,871	215,907	_____
2	Purchase of service	66,877	68,241	68,241	_____
3	Expenses	7,288	7,550	8,050	_____
4	Capital outlay	<u>500</u>	<u>0</u>	<u>0</u>	_____
	TOTAL	270,172	282,662	292,198	_____
<u>VETERANS' SERVICES:</u>					
5	Salaries	35,576	40,265	40,313	_____
6	Expenses	3,386	3,700	3,500	_____
7	Veteran's benefits	<u>5,608</u>	<u>30,000</u>	<u>30,150</u>	_____
	TOTAL	44,570	73,965	73,963	_____

		<u>EXPENDED</u> <u>FY 97</u>	<u>APPRO-</u> <u>PRIATED</u> <u>FY 98</u>	<u>RECOM-</u> <u>MENDED</u> <u>FY 99</u>	<u>AMENDMENT</u>
HUMAN SERVICES (Continued)					
YOUTH COMMISSION:					
608	Salaries	107,255	120,479	130,400	
609	Purchase of service	2,631	2,140	2,800	
610	Expenses	2,145	2,650	1,990	
611	Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL	112,031	125,269	135,190	
COUNCIL ON AGING:					
612	Salaries	151,013	163,530	181,600	
613	Purchase of service	11,796	11,500	2,050	
614	Expenses	3,238	4,125	4,125	
615	Capital outlay	<u>24,046</u>	<u>0</u>	<u>0</u>	
	TOTAL	190,093	179,155	187,775	
COMMISSION ON DISABILITIES:					
616	Expenses	<u>513</u>	<u>2,948</u>	<u>513</u>	
	TOTAL	513	2,948	513	
TOTAL: HUMAN SERVICES		617,379	663,999	689,639	
<u>DEVELOPMENT</u>					
(.24% of Budget Total)					
PLANNING BOARD:					
701	Salaries	87,528	95,676	96,844	
702	Purchase of service	3,620	2,960	22,960	
703	Expenses	1,132	1,947	1,947	
704	Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL	92,280	100,583	121,751	
CONSERVATION COMMISSION:					
705	Salaries	14,434	14,796	14,435	
706	Purchase of service	1,610	3,429	3,249	
707	Expenses	1,097	1,150	1,150	
708	Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL	17,141	19,375	18,834	
BOARD OF APPEALS:					
709	Salaries	5,519	5,658	5,658	
710	Purchase of service	1,964	3,000	3,000	
711	Expenses	<u>137</u>	<u>350</u>	<u>170</u>	
	TOTAL	7,620	9,008	8,828	

	EXPENDED FY97	APPRO- PRIATED FY98	RECOM- MENDED FY99	AMENDMENT
<u>DEVELOPMENT (Continued)</u>				
HISTORICAL COMMISSION:				
012 Expenses	<u>50</u>	<u>513</u>	<u>513</u>	_____
TOTAL	50	513	513	_____
TOTAL: DEVELOPMENT	117,091	129,479	149,926	_____
<u>CULTURAL AND LEISURE SERVICES</u>				
0.03% of Budget Total)				
LIBRARY:				
001 Salaries	548,853	581,780	607,396	_____
002 Purchase of service	35,370	35,659	40,280	_____
003 Books & Periodicals	114,799	114,800	114,800	_____
004 Expenses	12,509	12,780	12,280	_____
005 Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	_____
TOTAL	711,531	745,019	774,756	_____
PARK & RECREATION:				
006 Salaries	268,455	285,816	291,599	_____
007 Purchase of service	24,758	35,778	43,278	_____
008 Expenses	23,297	24,347	24,347	_____
009 Capital outlay	<u>4,152</u>	<u>10,000</u>	<u>10,000</u>	_____
TOTAL	320,662	355,941	369,224	_____
MEMORIAL PARK:				
010 Expenses	500	500	500	_____
011 Capital outlay	<u>0</u>	<u>0</u>	<u>0</u>	_____
TOTAL	500	500	500	_____
TOTAL: LEISURE /CULTURAL SERV	1,032,693	1,101,460	1,144,480	_____
GRAND TOTAL:				
DEPARTMENT BUDGETS	50,639,700	54,749,674	55,830,487	_____

**WARRANT FOR THE ANNUAL TOWN MEETING
MONDAY, APRIL 13, 1998
TOWN OF NEEDHAM
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the constables in the Town of Needham in said County. Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet in their respective voting places in said Town namely:

Precinct A	-	Hillside School - Gymnasium
Precinct B	-	Hillside School - Gymnasium
Precinct C	-	Newman School - Gymnasium
Precinct D	-	High Rock School - Gymnasium
Precinct E	-	Pollard Middle School - Room 226
Precinct F	-	Stephen Palmer Community Room
Precinct G	-	Broadmeadow School - Gymnasium
Precinct H	-	Broadmeadow School - Gymnasium
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on MONDAY, THE THIRTEENTH DAY OF APRIL, 1998

from forty-five minutes after six o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Moderator for One Year;
 One Selectmen for Three Years;
 One Town Clerk for Three Years;
 One Assessor for Three Years;
 One Assessor for Two Years;
 Three Members of School Committee for Three Years;
 Two Trustees of Memorial Park for Three Years;
 Two Trustees of Needham Public Library for Three Years;
 One Member of Board of Health for Three Years;
 One Member of Planning Board for Five Years;
 One Member of the Housing Authority for Five Years;
 One Commissioner of Trust Funds for Three Years;
 Two Members of Park and Recreation Commission for Three Years;
 Nine Town Meeting Members from Precinct A for Three Years;
 Nine Town Meeting Members from Precinct B for Three Years;
 Nine Town Meeting Members from Precinct C for Three Years;
 One Town Meeting Member from Precinct C for One Year;

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

Nine Town Meeting Members from Precinct D for Three Years;
 Two Town Meeting Members from Precinct D for Two Years;
 Two Town Meeting Members from Precinct D for One Year;
 Eight Town Meeting Members from Precinct E for Three Years;
 One Town Meeting Member from Precinct E for Two Years;
 Eight Town Meeting Members from Precinct F for Three Years;
 Eight Town Meeting Members from Precinct G for Three Years;
 Eight Town Meeting Members from Precinct H for Three Years;
 Eight Town Meeting Members from Precinct I for Three Years;
 One Town Meeting Member from Precinct I for Two Years;
 Eight Town Meeting Members from Precinct J for Three Years;
 Two Town Meeting Members from Precinct J for One Year.

ARTICLE 2: BALLOT QUESTION

To submit the following question upon the official ballot to the voters of the Town:

QUESTION 1: DEBT EXCLUSION: LANDFILL CLOSURE

“Shall the Town of Needham be allowed to exempt from the provisions of Proposition two and one-half, so called, the amount required to pay for the bond issued in the principal amount not to exceed \$2,500,000 in order to close and cap the Town's landfill on Central Avenue?”

and at the Pollard Middle School in said Town on MONDAY, THE FOURTH DAY OF MAY, 1998 AT 7:30 P.M.

ARTICLE 3: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ZONING/LAND USE ARTICLES**ARTICLE 4: STREET ACCEPTANCE**

To see if the Town will vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans:

Carleton Drive
 Cedar Springs Lane
 A portion of Bridle Trail Road

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 4 Explanation: The streets included in this Article have been built by developers, according to the Town's Subdivision control law. Acceptance of these streets as public ways requires approval by Town Meeting.

ARTICLE 5: TRANSFER OF LAND TO BOARD OF SELECTMEN (WEST STREET)

To see if the Town will vote to transfer a portion of land on West Street containing approximately 11,315 square feet; now held by the School Committee for school purposes, to the Board of Selectmen for general purposes; said land being more fully shown on a plan entitled, Jurisdictional Plan Showing Area To Be Used for Sewer Pumping Station, dated March 2, 1998 and on file with the Engineering Division of Department of Public Works; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 5 Explanation: The reconstruction of the West Street pumping station will require a portion of the new station to be built on land currently under the jurisdiction of the School Committee. This Article will transfer the required land to the Board of Selectmen.

ARTICLE 6: AMEND ZONING BY-LAW - DESCRIPTION OF FLOOD PLAIN DISTRICTS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.3, by adding language to subparagraph (b) so that the entire subparagraph shall read as follows (new language underlined):

"(b) One hundred thirty-seven (137) feet above mean sea level westerly of the line described in the preceding paragraph (a) and also including all that land at or below elevation one hundred thirty-seven (137) feet mean sea level between Cartwright Road and the Needham-Wellesley town line and between Central Avenue and the Needham-Wellesley town line."

- (b) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the most easterly intersection of the Needham-Dover-Wellesley town lines and the Cochrane Dam that is at or below the following elevations:"

- (c) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to subparagraph (a) so that the entire subparagraph shall read as follows (new language underlined):

"(a) One hundred ten (110) feet above mean sea level between the most easterly intersection of the Needham-Dover-Wellesley town lines and a line projected perpendicular to the center line of the Charles River extending westerly from the Metropolitan District Commission sewer manhole, Station #43 + 33.20, seventy-eight hundred (7800) feet more or less downstream."

- (d) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the Greendale Avenue Bridge easterly and northerly along the Charles River in Needham to the Needham-Wellesley town line that is at or below the following elevations:"

- (e) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to subparagraph (c) so that the entire subparagraph shall read as follows (new language underlined):

“(c) Ninety-one (91) feet above mean sea level between the Kendrick Street Bridge and the Sudbury Aqueduct.”

- (f) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding a new sub-paragraph (d) to read as follows:

“(d) Seventy-five (75) feet above mean sea level between the Sudbury Aqueduct and the Needham-Wellesley town line. (Note: Add 105.64 feet to mean sea level elevations to determine elevations on Needham sewer base datum.)”

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 6 Explanation: This article describes the geographical boundaries of those additional areas proposed to be placed in the Town's Flood Plain District. In order for residents of a community to be eligible to receive flood insurance, the community must agree to abide by the National Flood Insurance Program's minimum requirements for flood plain management. These modifications have been prepared to ensure compliance with the requirements of that program. The revisions place within the Town of Needham's Flood Plain District those areas designated as flood plain on the Federal Insurance Rate Maps and accompanying Flood Insurance Study which are not otherwise included within the Town's Flood Plain District.

The expanded Flood Plain District would included: (a) all that land sloping toward Fuller Brook at or below elevation one hundred thirty-seven (137) feet above mean sea level between Cartwright Road and the Needham-Wellesley town line; (b) all that land sloping toward the Charles River at or below elevation one hundred ten (110) feet above mean sea level between the intersection of the most easterly point of the Needham-Dover-Wellesley town lines situated on the northerly side of Charles River Street and the westerly side of Winding River Road; (c) all that land sloping toward the Charles River at or below elevation ninety-one (91) feet above mean sea level between the Highland Avenue Bridge and the Sudbury Aqueduct; and (d) all that land sloping toward the Charles River at or below elevation seventy-five (75) feet above mean sea level between the Sudbury Aqueduct and the Needham-Wellesley town line.

ARTICLE 7: AMEND ZONING BY-LAW - FLOOD PLAIN DISTRICT REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.3, Uses Requiring a Special Permit, by adding a new sub-paragraph (h) to read as follows:

“(h) Any use permitted in the underlying district in which the land is situated, subject to the same use and development restrictions as may otherwise apply thereto, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals shall refer each question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and shall not act until these agencies have reported their recommendations or 45 days have elapsed after such referral and no report has been received.”

- (b) In Section 3.3, Uses in Flood Plain District, by changing the designation of the existing Subsection 3.3.5, National Flood Insurance Program (NFIP) Requirements, to Subsection 3.3.6 and by adding a new Subsection 3.3.5, General Provisions Relating to Flood Plain District, to read as follows:

“3.3.5 General Provisions Relating to Flood Plain District

- (a) All development in the Flood Plain District, including structural and non-structural activities, whether permitted by right or by special permit shall be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following: (i) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 3107.0, “Flood Resistant

Construction"); (ii) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00); (iii) Inland Wetlands Restriction, DEP (currently 302 CMR 6.00); and (iv) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5). Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

- (b) All subdivision proposals in the Flood Plain District shall be reviewed to assure that: (i) such proposals minimize flood damage; (ii) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and (iii) adequate drainage is provided to reduce exposure to flood hazards.
- (c) Base flood elevation data shall be provided for subdivision proposals or other developments of greater than 50 lots or 5 acres, within unnumbered A zones, as shown on the Flood Insurance Rate Map (FIRM) dated June 5, 1989.
- (d) Within areas designated Zone A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, as shown on the Federal Rate Insurance Map (FIRM), Floodway Map, and Flood Insurance Study dated June 5, 1989, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge."

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 7 Explanation: This article would add certain conditions to the granting of special permits by the Board of Appeals under existing sections of the Zoning By-Law that relate to limited construction in a Flood Plain District. The conditions deal with base flood elevation and floodway data, existing state regulations pertaining to flood plain management, and National Flood Insurance Program standards, and are required under the National Flood Insurance Program. In addition, the article authorizes the Board of Appeals to issue a special permit on land designated as being within the Flood Plain District for any use otherwise permitted in the underlying zoning district in which the land is situated, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals would be required to refer each such question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and could not act until those agencies had reported their recommendations or 45 days had elapsed after such referral and no report had been received.

ARTICLE 8: AMEND ZONING BY-LAW - SITE PLAN REVIEW

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by revising the fifth paragraph thereof to read as follows (new language underlined):

"In the Center Business District, a MAJOR PROJECT is any construction project which creates or adds gross floor area; or any construction project which changes an exterior facade; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking or loading spaces. (For purposes of this section, facade change shall not include provision of awnings nor the replacement of windows and doors provided such items conform with the design standards as articulated in the 'Town of Needham, Design Guidelines for the Business District', dated August 15, 1995.)"

- (b) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by inserting a new tenth paragraph to read as follows:

"In the Center Business District, a MINOR PROJECT is any construction project which involves a change in the exterior facade of a building and the project is not a Major Project as defined by this By-Law."

or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 8 Explanation: This article would allow certain types of facade modifications in the Center Business District to be reviewed by the Planning Board as Minor Project Site Plans rather than Major Project Site Plans. Provision of awnings and the replacement of windows and doors would be afforded this shorter review period provided such changes conformed with the "Town of Needham, Design Guidelines for the Business District", dated August 15, 1995.

ARTICLE 9: AMEND ZONING BY-LAW - ADULT USES OVERLAY DISTRICT REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation and category as follows:

"AU - Adult Uses"

- (b) In Section 3, Use Regulations, by inserting a new Subsection 3.5, Adult Uses Overlay Districts, to read as follows:

"3.5 Adult Uses Overlay Districts

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Establishment of Districts and Relationship to Underlying Districts

The Adult Uses Overlay Districts are established as districts which overlay the underlying districts so that any parcel of land lying in an Adult Use Overlay District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning By-Law.

3.5.3 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as that term is defined in M.G.L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as herein defined.

3.5.4 Permitted Uses

- (a) All uses permissible and as regulated within the underlying district.

3.5.5 Special Permit Uses

The following uses are prohibited except upon the issuance of a Special Permit from the Board of Appeals: Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment. Such permit shall require specific improvements, amenities, and locations of proposed uses for which such permit may be granted.

3.5.6 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than 500 feet from a child-care facility, park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12, nor less than 700 feet from any residential district designated by this By-Law. The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.
- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.
- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.

- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Sections 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:
 - 1) There is a change in the location of the adult use;
 - 2) There is a sale, transfer or assignment of the business or the license;
 - 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.7 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.8 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 9 Explanation: A new Adult Uses Overlay District would be established by this Article. Currently, the Town of Needham does not specifically regulate adult uses through zoning. Because they are not separately defined in the Needham Zoning By-Law today, an adult bookstore, adult video store, adult paraphernalia store, adult motion picture theater, or adult live entertainment establishment may be established under the same zoning procedures as any bookstore, video store, retail establishment, theater, or entertainment establishment. Therefore, by default, adult uses are allowed "as of right" in most of Needham's commercial districts -- including the center, squares and in close proximity to some residential neighborhoods. The zoning by-law modifications proposed under warrant Article 9 in combination with Article 10 would dramatically reduce the locations for adult uses and would require any such business to obtain a special permit from the Board of Appeals.

Adult uses have not been directly controlled through zoning up to this point partly because there has been very little market pressure for these uses to locate in Needham. In addition, the courts have only recently upheld adult use zoning controls. Even so, the courts will not allow a municipality to prohibit adult uses altogether, or regulate them based on a mere dislike for an adult use itself, or for the materials or products it presents or sells. Since regulation of adult uses has been successfully challenged as violating the right of free speech established by the First Amendment of the U.S. Constitution, it is extremely important that any proposed by-law be clearly tied to and constructed around the fundamental legal concepts and precedents already established by the courts.

To date, the U.S. Supreme Court has upheld regulation of adult uses through land use zoning in at least three landmark cases. The Planning Board has drafted the proposed by-law modifications under Articles 9 and 10 to comply with the federal and state legal requirements.

A community may require that adult uses be located away from residences, schools, parks and the like. Nonetheless, adult use zoning must allow a reasonable amount of a community's land area to remain available for potential adult use sites. The courts have upheld regulations that promote either a concentration of the uses in a few areas, or a scattering over a wide area. Because of Needham's development pattern and the desire to protect residential areas in particular, the proposed modifications under articles 9 - 10 are designed to concentrate potential sites in one industrial area and away from predominately residential areas or defined neighborhoods.

The proposal, as contained in Article 9 in combination with Article 10, amends our Zoning By-Law to define certain "adult uses" and then limits the location of these uses to one area, away from residences, child-care facilities, parks, playgrounds, recreational areas, other adult uses, or establishments holding a liquor license under the provisions of M.G.L. Chapter 138, Section 12. The legislation: (1) Defines "adult bookstore", "adult video store", "adult paraphernalia store", "adult motion picture theater", and "adult live entertainment establishment". The definitions are drawn directly from the State Zoning Act, M.G.L. Chapter 40A, Section 9A. (2) Permits adult use in only a portion of one of the Town's sixteen (16) zoning districts and only after public hearings and the grant of a special permit. (See Article 10 for location of proposed Adult Use Overlay District). (3) Requires annual renewal of the special permit for an adult use. (4) Stipulates that an adult use must be 700 feet away from a residence zone and 500 feet away from a child-care facility, park, playground, recreational area where large numbers of minors regularly travel or congregate, another adult use, or any establishment with a liquor license. (5) Requires buildings containing an adult use to be consistent with the appearance of buildings containing similar (but not specifically "adult") uses in Needham, not employing unusual color or building design that would attract attention to the premises. (6) Prohibits the display of adult use materials in the windows of or on the building.

Application of the proposed by-law will allow the Town maximum control over adult uses, while still fulfilling the legal requirement to maintain a reasonable number of potential adult use sites.

Due to legal constraints, the regulation of adult uses through zoning does have its limitations - it only applies when an adult use is a "principal" use on a given site, and adult entertainment is regulated only if it is a "regular" part of an establishments business. Thus, a bookstore or video store that includes an accessory adult use is not specifically regulated (i.e., when an establishment does not focus primarily on adult-oriented use, and limits its adult-oriented inventory of products). The adult use zoning by-law also cannot be used to directly control a night club that presents a one-time live adult entertainment event, or a theater that may show an occasional adult film.

Despite these limitations, regulating adult uses through zoning does provide important benefits. It limits the location for adult uses, guiding establishments that are clearly adult-oriented away from the Town's residential neighborhoods, center, and squares. In addition, it establishes Town policy that may be enforced "up-front", before an actual use is established.

ARTICLE 10:

AMEND ZONING BY-LAW - MAP CHANGE TO ADULT USES OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Adult Uses Overlay District all that land now zoned Industrial and lying between the Circumferential Highway, known as Route 128, and the centerline of the Charles River southeast of the MBTA right-of-way centerline and northwest of the present district boundaries along Highland Avenue said area bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of the Circumferential State Highway, known as Route 128, and the centerline of the Massachusetts Bay Transportation Authority (MBTA) right-of-way, thence running northeasterly by the MBTA right-of-way centerline to the intersection of the MBTA right-of-way centerline and the centerline of the Charles River (also known as the Town of Needham boundary line), thence turning and running southeasterly by the centerline of the Charles River to the intersection of the centerline of the Charles River and a line parallel to and 100 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the centerline of the westerly end of Highland Circle, thence turning and running northwesterly by the centerline of the westerly end of Highland Circle to the intersection of the centerline of the westerly end of Highland Circle and a line parallel to and 200 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the northeasterly sideline of the Circumferential State Highway, known as Route 128, thence turning and running northwesterly by the northeasterly sideline of the Circumferential State Highway, known as Route 128, to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 10 Explanation: This Article describes the geographical boundaries of the new Adult Uses Overlay District which would generally include all that land now zoned Industrial and lying between the Circumferential Highway, known as Route 128, and the centerline of the Charles River southeast of the MBTA right-of-way centerline and northwest of the present district boundaries along Highland Avenue.

ARTICLE 11: AMEND ZONING BY-LAW - ADULT USES SPECIAL PERMIT AND SETBACK REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

In Section 3, Use Regulations, by inserting a new Subsection 3.5, Adult Uses, to read as follows:

“3.5 Adult Uses

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham’s great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as defined in M.G. L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as defined herein.

3.5.3 Adult Uses Not Allowed As-of-Right

Adult Uses are not included within the definition of retail sales or services of "any other lawful business" permitted as-of-right or by Special Permit. In no instance shall an Adult Use be allowed as-of-right.

3.5.4 Adult Uses Allowed Only By Special Permit

Adult Uses are prohibited except as allowed by Special Permit issued by the Board of Appeals in those commercial and industrial zoning districts wherein the respective retail, theater, or entertainment use is permitted as-of-right or by Special Permit as set forth in Section 3.2 of this By-Law.

3.5.5 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than:

500 feet from a park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12;

700 feet from a child-care facility;

1,000 feet from any residential district designated by this By-Law.

The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.

- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store,

Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.

- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.
- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:
 - 1) There is a change in the location of the Adult Use;
 - 2) There is a sale, transfer or assignment of the business or the license;
 - 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.6 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.7 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 11 Explanation: This Article proposes to establish controls on adult uses as defined in state law by imposing town wide off-set requirements from sensitive uses and a special permit process. The article is offered as an alternative approach to the overlay district plan contained in Articles 9 and 10. Adult bookstores, adult video stores, adult paraphernalia stores, adult motion picture theaters, and adult live entertainment establishments would be defined and would come under the proposed regulations. The amendment would establish a special permit procedure for approval of adult uses by the Board of Appeals in those commercial and industrial districts wherein the respective retail, theater, or entertainment use is permitted as-of-right or by special permit. In considering an application, adult uses would not be allowed: (1) Where there is a park, playground, recreational area where large numbers of minors regularly travel or congregate, another adult use, or any establishment with a liquor license within 500 feet; (2) Where there is a child-care facility within 700 feet; and (3) Where there is a residential district designated by this by-law within 1,000 feet.

Special permits would further be subject to annual renewal. Buildings containing an adult use would be required to be consistent with the appearance of buildings containing similar (but not specifically "adult") uses in Needham, not employing unusual color or building design that would attract attention to the premises. The display of adult use materials in the windows of or on the building would be prohibited. Applications for special permits would require information on the owner, partners, managers, number of employees, and other information.

The Planning Board believes that it is unlikely that an adult use will ever come to town for a variety of reasons. Nevertheless, state officials advise that it is wise for communities to adopt regulations. In this instance, the Planning Board believes that it is better to have the regulation and never need it than to need it and not have it.

ARTICLE 12: ABANDONMENT OF CHESTNUT ROAD

To see if the Town will vote to abandon Chestnut Road as a public way, from Chestnut Street to Lincoln Street, in accordance with plans on file with the Town Clerk; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 12 Explanation: This Article is part of the next phase for the planned reconstruction of the Chestnut Street and Lincoln Street parking lot. Adoption of this Article will help to establish a new layout of the parking spaces and thereby maximize the effective use of the area available including the Town owned parcels, the private parcels and the roadway area. In order to accomplish this new layout, the area comprising the public way known as Chestnut Road will need to revert back to a private way status.

ARTICLE 13: TRANSFER OF LAND TO CONSERVATION COMMISSION - JAMES AVENUE

To see if the Town will transfer the care and control of land off of James Avenue, being a portion of Lot 1 and all of Lot 3 as shown on Assessors Map Number 35, now held by the Board of Selectmen for general purposes, to the Conservation Commission for conservation purposes; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 13 Explanation: The 1997 Annual Town Meeting created a study committee to determine the future use of approximately four and one-half acres of land off of James Avenue. The Committee is recommending that said parcel be transferred to the Conservation Commission to be maintained as conservation land.

ARTICLE 14: TRANSFER OF LAND TO PARK AND RECREATION COMMISSION (GREENDALE AVENUE)

To see if the Town will vote to transfer the care and control of a portion of land located between 906 and 926 Greendale Avenue and shown as Lot C on Assessors Map 15, containing 3.07 ± acres, now held by the Board of Selectmen for general municipal purposes, to the Park and Recreation Commission for recreation purposes; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 14 Explanation: The 1997 Annual Town Meeting created a study committee to determine the future use of approximately three acres of land off of Greendale Avenue. The Committee is recommending that said parcel be transferred to the Park and Recreation Commission to be used for recreation purposes.

PERSONNEL RELATED ARTICLES

ARTICLE 15: AMEND CLASSIFICATION AND STANDARD RATES OF COMPENSATION

To see if the Town will vote to amend the Classification and Standard Rates of Compensation Schedule in its entirety by substituting therefore a new Classification and Standard Rates of Compensation Schedule; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 15 Explanation: In accordance with M.G.L. c.41 Section 108, the Town must annually adopt a classification and compensation schedule for general government employees other than employees covered by labor contracts. The Personnel Board recommends classification and compensation levels for non-represented employees, as well as classification levels for employees whose titles are contained in a bargaining unit. The rates of pay for the latter are set during the collective bargaining process and are incorporated into the classification and compensation schedule. All revisions to the Classification and Standard Rates of Compensation Schedule will be provided to Town Meeting Members before May 4, 1998.

ARTICLE 16: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 1998 as required by the General Laws, Chapter 41, Section 108 and as recommended by the Personnel Board and subject to, in the case of the Town Clerk, the longevity provisions of Section 8.11.12 of the Consolidated Personnel By-Law.

Town Clerk:	\$50,135
Town Clerk with Six Years of Service:	\$59,860
Selectmen, Chairman:	\$1,800
Selectmen, Others:	\$1,500
Assessor, in Office as of 1/17/96:	\$10
Assessor, not in Office as of 1/17/96:	\$0;

or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 16 Explanation: In accordance with M.G.L. c. 41 Section 108, the Town must annually vote to set the salary rates for any Elected Town officials who receive compensation. The Town Clerk's salary has been separated into two categories, a newly elected Town Clerk, and a Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. The annual stipends for the members of the Board of Selectmen have remained constant for the past few decades; the stipends for the members of the Board of Assessors were eliminated at the 1996 Annual Town Meeting. Members of the Board of Assessors in office at the time were grandfathered at a \$10 annual rate so that they could retain their health insurance benefits.

ARTICLE 17: AMEND CONSOLIDATED PERSONNEL BY-LAW

To see if the Town will vote to amend its Consolidated Personnel By-Law (Article VIII of the General By-laws of the Town of Needham) by:

1. amending Section 8.15.7, Vacation Leave Credit Allowance for New Employees, by deleting the words "department and division heads" and inserting in place thereof the words "non-represented employees"; and
2. amending Section 8.9.2, Emergency Appointments, by deleting the words "three (3)" and inserting in place thereof the words "six (6)";

or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 17 Explanation: The Personnel Board recommends that the Town Meeting adopt two changes to the Consolidated Personnel By-law. The first would allow the Board to grant accelerated vacation leave credit for all employees under its jurisdiction, not just department managers as is currently the case. The granting of additional vacation is an important recruitment tool, particularly with respect to recruiting professional staff. The Board also recommends that the time frame for emergency appointments be extended from three weeks to six weeks. The additional time is needed to allow department managers to bring in temporary staff while they recruit for permanent staff or otherwise resolve their particular staffing situation.

FINANCE/BUDGET ARTICLES**ARTICLE 18: APPROPRIATE FOR TAX WORK-OFF PROGRAM**

To see if the Town will vote to raise and appropriate \$7,500 for the purpose of conducting a tax work-off program, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted

Article 18 Explanation: In fiscal year 1996, the Town initiated a program whereby qualified elderly property owners and disabled individuals could work up to 100 hours for the Town. In turn, the individual was paid approximately \$500 which was applied to their property tax bill. The Selectmen would like to expand this program and, therefore, have requested to increase the appropriation from \$5,000 in FY98 to \$7,500 in FY99.

ARTICLE 19: APPROPRIATE FOR HAZARDOUS WASTE COLLECTION DAY

To see if the Town will vote to raise and appropriate \$10,000 for the purpose of conducting a hazardous waste collection day, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 19 Explanation: As a result of an Administrative Consent Order with the Department of Environmental Protection (DEP) related to the operation and closure of the sanitary landfill, the Town has agreed to request funding to conduct a Household Hazardous Waste Collection Day.

ARTICLE 20: APPROPRIATE FOR PURCHASE AND INSTALLATION OF SIDEWALK LIGHTS

Move that the Town of Needham appropriate the sum of \$5,000.00 for the purchase and installation of 6 sidewalk lights to be installed in the following locations.

- a) Four lights to be installed along the concrete sidewalk connecting Great Plain Avenue with the parking lot behind the First Church of Christ Scientist, Needham. The Town constructed the walk to the parking lot after having been given an easement by the Church.
- b) Two lights to be installed along the property line between the parking lot and the First Church of Christ, Scientist, Needham.

In exchange for the purchase and installation of said lights, the First Church of Christ, Scientist, Needham, agrees to be responsible for relamping and for the payment of the electricity required to operate the lights.

Or take any other action relative thereto.

INSERTED BY: Citizen's Petition

FINANCE COMMITTEE RECOMMENDS THAT: Recommendations to be made at Town Meeting

Article 20 Explanation: This article addresses the need for safety lighting to be installed along the pedestrian right of access which leads from Great Plain Avenue to the parking lot at the rear of First Church of Christ, Scientist, 870 Great Plain Avenue. Vehicle access to the lot is from Dedham Avenue. The Town has the use of the parking lot for public off-street parking on secular days and hours under a license agreement with the Church dated November 10, 1981 and renewed on April 14, 1992. The license agreement will expire on November 1, 2001. Responsibility for lighting the pedestrian walkway is unclear under the terms of the license agreement. The proposal specifies 4 new light poles and underground wiring along the walkway and 2 light poles and underground wiring at the rear of the church building next to the parking lot.

ARTICLE 21: ACCEPT MGL CHAPTER 32, SECTION 103 (COST OF LIVING PAYMENTS FOR RETIREES)

To see if the Town will vote to accept the provisions of Section 103 of Chapter 32 of the General Laws, as added by Section 8 of Chapter 17 of the Acts of 1997, an act relative to the annual cost-of-living adjustments to retirees; or take any other action relative thereto.

INSERTED BY: Needham Contributory Retirement Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation is to be made at Town Meeting

Article 21 Explanation: Chapter 32 Section 103 is a local option legislation. This statute reforms the method for granting Cost of Living Adjustments (COLA's) to municipal retirees. The legislation provides that the decision to grant a COLA will be made by the Local Retirement Board. On an annual basis, if the retirement board votes to adopt the COLA, eligible retirees and beneficiaries of the system will receive a COLA commencing in July of that year. The percentage of increase granted must be either the increase in the Consumer Price Index as determined by the Commissioner of Social Security, or three percent, which ever is less, and is calculated on a maximum retirement benefit of \$12,000.

There are no alternate provisions for providing a Cost of Living Adjustment to our Retirees.

Article 22, which follows, has been submitted via Citizen's Petition and also asks the acceptance of the same legislation.

ARTICLE 22: ACCEPT MGL CHAPTER 32, SECTION 103 (COST OF LIVING PAYMENTS FOR RETIREES)

To see if the Town will vote to accept the provisions of Chapter 17 of the Acts of 1997, Section 103 an act relative to the

annual cost of living adjustment for retired members of the Needham Contributory Retirement System; or take any other action relative thereto.

INSERTED BY: Citizen's Petition

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 22 Explanation: Under a 1997 state law (Chapter 17), Needham and other towns are provided the opportunity to accept a process whereby a cost of living adjustment (COLA) can be added to the pensions of former town employees on an annual basis. In accordance with the law, the Needham Retirement Board has taken the initial step, accepting the process. With the Board's action, the final decision rests with the Town Meeting on whether the process for paying a COLA, outlined in the law, will become effective in Needham.

If the law is accepted by Town Meeting, the process calls upon the Retirement Board to determine annually whether a COLA will be paid. In order to pay a COLA in a particular year, the Board must determine that it will not impair Needham from satisfying its obligation to fund its retirement system.

If the Board decides that a COLA can be paid in a particular year, the retirees will receive the same percentage increase as social security recipients. For example, this year social security benefits increased by 2.1%; therefore, if accepted town retirees would receive the same percentage on the first \$12,000 of their pension. The percentage can not exceed 3%.

ARTICLE 23:

PETITION THE GENERAL COURT FOR SPECIAL LEGISLATION REGARDING COST OF LIVING PAYMENTS FOR RETIREES

To see if the Town will authorize and empower the Board of Selectmen to file a Home Rule Petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING NEEDHAM TOWN MEETING TO APPROVE COST OF LIVING INCREASES FOR MEMBERS OF THE NEEDHAM CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

SECTION 1. Any other provision of law notwithstanding, the Town of Needham having accepted the provisions of Section 103 of Chapter 32 of the General Laws as added by Chapter 17 of the Acts of 1997, that any future cost of living adjustment elected or adopted by the Town of Needham Contributory Retirement Board shall not be effective and shall not be paid to any member, spouse or other beneficiary and shall not affect the amount of the fixed retirement allowance, pension or annuity for any present or future purposes until said adjustment is approved for that year by the Town, acting by its Town Meeting.

SECTION 2. This act shall take effect upon its acceptance by vote of the Town, acting by its Town Meeting.

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 23 Explanation: Massachusetts General Law Chapter 17 (the subject matter of Articles 21 and 22) transfers the responsibility of funding cost-of-living adjustments (COLA) for retirees to the Town's local retirement system. Since Proposition 2 1/2 was enacted, cost of living adjustments for retirees have been paid by the State. Section 103 permits the Town to make an irrevocable election to grant annual COLA's based on the federal consumer price index. Once this election has been made, any subsequent year the system will have been deemed to grant a COLA unless the Needham Retirement Board, not the Town Meeting, decides that the cost is too much of a burden on the funding schedule. Article 23 would permit the Board of Selectmen to file for Special Legislation that would, if approved, permit Town Meeting to make the determination to fund future COLA's.

ARTICLE 24:

APPROPRIATE THE FY99 OPERATING BUDGET

To see what sums of money the Town will vote to raise and appropriate for the necessary Town expenses and charges; or

take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted

The amounts appropriated be as recommended in the FY99 Operating Budget recommendations as shown on Page 10 - 15.

ARTICLE 25: APPROPRIATE THE FY99 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from water receipts or transfer from the water enterprise fund the following sums of money to operate the Water Division of the DPW during fiscal year 1999; under the provision of G.L. Chapter 44, Section 53F ½:

	<u>Expended FY97</u>	<u>Appropriated FY98</u>	<u>Recommended FY99</u>
901 Salaries	\$490,542	544,560	606,743
902 Purchase of service	244,592	242,598	262,639
903 Expenses	188,691	201,255	201,255
904 Capital outlay	103,376	52,500	20,000
905 MWRA assessment	249,839	154,221	154,221
906 Emergency repairs	65,199	50,000	50,000
907 Debt service	312,013	478,011	780,000
TOTAL	1,654,252	1,723,145	2,074,858

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/ Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 25 Explanation: The Water Enterprise Fund budget is a self-supporting account. That is, water fees and charges cover the entire cost of operations. The increase in the salary line reflects a transfer of 1.5 staff from the Wastewater (Sewer) division to the Water Division. The increase in the Purchase of Service line is for higher energy costs and leak detection services.

ARTICLE 26: APPROPRIATE THE FY99 WASTEWATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from wastewater receipts or transfer from the wastewater enterprise fund the following sums of money to operate the Sewer Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F ½:

	<u>Expended FY97</u>	<u>Appropriated FY98</u>	<u>Recommended FY99</u>
908 Salaries	\$319,255	425,196	385,036
909 Purchase of service	114,254	104,696	114,371
910 Expenses	66,925	59,300	72,070
911 Capital outlay	0	30,000	0
912 MWRA assessment	3,660,488	3,961,491	3,961,491
913 Emergency repairs	71,833	20,000	20,000

914	Debt service	<u>515,000</u>	<u>624,540</u>	<u>910,000</u>
	TOTAL	4,747,755	5,225,223	5,462,968

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 26 Explanation: The Wastewater Enterprise Fund budget (Sewer Division) is a self-supporting account. That is, sewer use fees and charges cover the entire cost of operations. The decrease in the salary line reflects a transfer of 1.5 staff from the Sewer Division to the Water Division. The increase in the purchase of service line reflects higher energy costs. The increase in the expense line is for building related repairs and materials.

ARTICLE 27: APPROPRIATE THE FY99 SOLID WASTE/RECYCLING ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from solid waste/recycling receipts or transfer from the Solid Waste / Recycling Enterprise Fund the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F ½:

	Expended FY97	Appropriated FY98	Recommended FY99
915	Salaries	\$432,378	469,041
916	Purchase of service	891,971	1,130,200
917	Expenses	57,691	106,080
918	Capital outlay	0	0
919	Emergency repairs	0	0
920	Debt service	0	0
	TOTAL	1,382,040	1,705,321
			2,088,394

or take any other action relative thereto.

INSERTED BY: Board of Selectmen / Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 27 Explanation: The Solid Waste / Recycling Fund budget is being presented as an Enterprise Fund for the first time in FY99. The direct costs of this enterprise fund are supported both by the property tax (approximately \$1,050,000) and user fees (approximately \$1,035,000). The increase in the purchase of service line is the result of additional solid waste disposal costs necessitated by the closing of the Town's landfill. The increase in the expenses line is related to costs associated with the pay-per-throw program. This budget does not include expenses related to the landfill closure nor any of the required and ongoing monitoring of the landfill. These are contained within the Highway Division operating budget.

ARTICLE 28: APPROPRIATE FOR SCHOOL TECHNOLOGY PLAN

To see if the Town will vote to raise and appropriate the sum of \$200,000 for school department computer hardware, other data processing equipment and computer software; to be spent under the direction of the School Committee; determine how said sum is to be raised; or take any other action relative thereto.

INSERTED BY: School Department

FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted, Funded with Debt

Article 28 Explanation: As required by the state, in support of the 1993 Education Reform Act, Needham Public Schools submitted a five year technology plan in the fall of 1996. It was approved by the Department of Education with commendation on our model for integrating technology in the classroom curriculum. There are three years left on the plan. The first two years were partially funded by state and local grants in the total of \$115,000. The operating budget funded the plan \$125,000 annually from the school operating budget. The FY99 appropriation of \$200,000 will purchase 100 new computer workstations. Existing workstations will be rotated with the goal to reach a ratio of 1 computer for every 5 students by the year 2001. Town Meeting will be requested for additional funding of \$300,000 for FY00, and \$400,000 for FY01.

ARTICLE 29: CONTINUE REVOLVING FUND - SCHOOL BUSING

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures from the School Department Fee-Based Busing Program and authorize the School Committee, through the Superintendent, to expend money from such fund in the amount of \$160,000 in fiscal year 1999; or take any other action relative thereto.

INSERTED BY: School Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 29 Explanation and Summary of MGL Chapter 44, Section 53E ½ : The Needham Public Schools provides transportation for a fee to all students who are in grades 7 - 12, Kindergarten After School Enrichment Program, Needham Extended Day Program, and those in grades K-6 who live within the 1.5 mile eligibility guideline. The fee is based on the number of buses needed to serve this population of riders and the average cost per seat. The Revolving Fund supports the cost of buses, personnel, and limited program materials. All buses are contracted through a private bus company.

A revolving fund established under the provisions of G.L. Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited with only the departmental receipts received in connection with the programs supported by such revolving fund and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½.

The Annual Town Meeting authorization for each revolving fund shall specify:

- (1) the programs and purposes for which the revolving fund may be expended;*
- (2) the departmental receipts which shall be credited to the revolving fund;*
- (3) the board, department or officer authorized to expend from such fund; and*
- (4) a limit on the amount which may be expended from such fund in the ensuing year.*

In any fiscal year the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to MGL Chapter 59, section 23.

ARTICLE 30: CONTINUE REVOLVING FUND - MEMORIAL PARK

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues from Memorial Park food concessions, said funds to be used for improvements to the Memorial Park and to authorize the Memorial Park Trustees to expend money from said fund in fiscal year 1999 in the amount of \$4,100; or take any other action relative thereto.

INSERTED BY: Memorial Park Trustees

FINANCE COMMITTEE RECOMMEND THAT: No Position Taken

Article 30 Explanation: This revolving fund has existed since fiscal year 1995. Revenues are from the Memorial Park food concessions. These funds are then used for the maintenance of the building and grounds including items such as paint, signs, locks and windows. A summary of M.G.L. Chapter 44, Section 53E ½ regarding revolving funds can be found following Article 29.

ARTICLE 31: CONTINUE REVOLVING FUND - LOCAL TRANSPORTATION

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with local transportation including grant revenues from the MBTA Suburban Transportation Program and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$40,000; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 31: Explanation: This fund allows the Council on Aging the ability to manage the fiscal portion of the transportation program for the Senior Citizens of the Town. All funds received from the MBTA, Roche Bros. / Sudbury Farms, and from various donations are deposited into this account. Expenses such as the transportation coordinator's salary, taxi service to and from the Senior Center six days a week, and the Shopper's bus which transports seniors for grocery shopping on a weekly basis, are paid for through this account. The entire transportation program costs are approximately \$35,000.00 annually. Because of the erratic schedule of reimbursement from the funding sources and the increasing demand for transportation services, the Council on Aging requests that the Fund be voted at \$40,000.00. A summary of M.G.L. Chapter 44, Section 53E ½: regarding revolving funds can be found following Article 29.

ARTICLE 32: CONTINUE REVOLVING FUND: YARD WASTE PROCESSING PROGRAM

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 179 of the Acts of 1993 for the revenues and expenditures associated with the Yard Waste Processing Program and to authorize the Board of Selectmen, through the Director of Public Works, to expend money from said fund in fiscal year 1999 in the amount of \$75,000; or take any action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 32 Explanation and Summary of MGL Chapter 179: This revolving fund has existed since fiscal year 1994. In 1993, the Town received a \$180,000 wood waste grinding machine through a grant from the DEP. This machine processes certain types of yard waste. As a condition of receiving this grant, the Town was required to allow other municipalities to use this equipment. Participating communities pay into this revolving fund based on their daily use of the equipment. These funds are then used for the maintenance and upkeep of the equipment. Chapter 179 law authorizes the creation of an intergovernmental revolving fund by a town that is the lead community in the operation of a multi-community yard waste processing or recycling program. For a lead community to create the fund, its board of selectmen must vote to authorize it, must establish a limit on the total amount which may be spent from the fund for the first fiscal year and must designate the department responsible for operating the yard waste processing or recycling program. For future fiscal years Town Meeting sets the annual spending limit and designate the responsible department. The spending limit may be increased during the course of any fiscal year with the approval of the board of selectmen.

ARTICLE 33: CONTINUE REVOLVING FUND - HOME COMPOSTING BIN ACCOUNT

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the sale of home composting bins and authorize the Board of Selectmen, through the Director of Public Works, to expend money from such fund in fiscal year 1999 in the amount of \$2,900 for the purchase of additional bins and related costs; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 33 Explanation: Through the efforts of the Board of Health and the Highway Division, the Town of Needham was granted a supply of home composting bins by the DEP. This grant serves as the "seed" money to generate revenue to continue the program. The DEP purchases the bins at a favorable cost and distributes the bins to the municipalities. The municipalities sell the bins at prices substantially below market value. The revenue from these sales are used to purchase additional bins through the DEP supplier bids.

ARTICLE 34: ESTABLISH REVOLVING FUND-HUMAN RIGHTS COMMISSION INVESTIGATION ACCOUNT

To see if the Town will vote to establish a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the Human Rights Commission Investigation Account, and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$6,000; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 34 Explanation: The Human Rights Commission (HRC), through the Board of Selectmen, will be entering into an agreement with the Massachusetts Commission on Discrimination (MCAD) to arbitrate discrimination complaints filed by Needham residents against private parties. The MCAD will reimburse the HRC for expenses associated with hearing these complaints.

**ARTICLE 35: ACCEPT M.G.L. CHAPTER 73, SECTION 4 OF THE ACTS OF 1986
(CONTINUATION OF INCREASE IN PROPERTY TAX EXEMPTION LIMITS)**

To see if the Town will vote to accept, for fiscal year 1999, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions and approve an increase in the amount of 24% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 35 Explanation and Summary of M.G.L. Chapter 73, Section 4: Town Meeting approval of the additional exemption, as well as application for the exemption by the taxpayer, must be made annually. Approval was first granted by the May 1993 Town Meeting. The Board of Selectmen has, each year, recommended that the exemption increase by the percentage increase in property taxes for the prior year. In fiscal year 1998 the exemption was 20%. Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws:

Clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42, or 43.

The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayers original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value.

ARTICLE 36: AUTHORIZATION TO EXPEND STATE FUNDS FOR WAYS

To see if the Town will vote to authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and authorize the expenditure of \$700,000 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 36 Explanation: State law requires that Town Meeting approve the use of funds received from the State for road construction purposes including engineering or to address traffic improvements. At this time, the amount shown in the Article is an estimate of the amount expected from the State in fiscal year 1999.

ARTICLE 37: ACCEPT MGL CHAPTER 80 SECTION 13B

To see if the Town will vote to accept, for fiscal year 1999, the provisions of M.G.L. Chapter 80 Section 13B to provide that the town may defer payments of betterments for homeowners who are eligible for real estate tax exemptions under MGL Chapter 59, Section 5, clause 41A; or take any other action relative thereto.

INSERTED BY: Board of Selectmen / Board of Health

FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted

Article 37 Explanation: The Board of Selectmen and Board of Health are recommending the acceptance of this law to allow certain low income elderly residents to defer the payment of betterment assessments. In Needham, betterment assessments are primarily limited to sewer connection betterments and septic improvement betterments. To be eligible for the deferral the applicant must be the owner, over 65 years of age, have owned and occupied property in Massachusetts for 5 years, have lived in Massachusetts for the preceding 10 years and in the year preceding application have a gross annual income not to exceed \$30,000. Total apportioned and deferred betterment payments (and taxes if applicable), together with interest accrued, may not exceed 50% of the owners interest in the assessed value of the property.

ARTICLE 38: TRANSFER OF UNDESIGNATED FUND BALANCE

To see if the Town will vote to transfer \$1,968,754 from the Undesignated Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in their computation of the tax rate for the fiscal year 1999; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 38 Explanation: Undesignated fund balance is the result of unexpended appropriations and revenue in excess of estimates from fiscal year 1997. It also includes the collection of previously delinquent taxes.

CAPITAL IMPROVEMENT BUDGET ARTICLES

Articles 39 - 72 are the Capital Improvement Budget Articles as recommended by the Board of Selectmen in the FY 1999-2003 Capital Improvement Plan (CIP). A summary of potential capital projects for FY2000 - 2003 can be found in the Supplemental Information section of the Warrant.

ARTICLE 39: APPROPRIATE FOR ROOF REPLACEMENT - HIGH SCHOOL

To see if the Town will vote to raise and appropriate the sum of \$575,000 to replace portions of the High School roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

approval of the Board of Selectmen is authorized to borrow up to \$575,000 for a period of up to 20 years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 39 Explanation: A recently completed survey and evaluation of all school building roofs performed by a consultant engineer indicates the urgent need to replace many of the flat roof sections at the Needham High School. In most cases, the roof areas in question are not the original roofs, but either rubber membrane or polyvinyl chloride/plastic membrane replacement roof systems. These membrane roofs have expanded and contracted beyond their serviceable lives. They contain rips, tears and holes and are in a dangerously deteriorated condition in critical flashing and drainage areas. The risk associated with not repairing these roofs promptly is two-fold: (1) potential damage to the building structure and building contents and (2) potential threat to public safety from ceiling collapse in selected areas (e.g., the Auditorium).

ARTICLE 40: APPROPRIATE FOR ROOF REPLACEMENT - DPW BUILDING

To see if the Town will vote to raise and appropriate the sum of \$250,000 to replace the DPW roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$250,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 40 Explanation: The roof on the DPW building failed in January 1998 following a storm. A roofing engineer was brought in to assess the roof and determine whether it should be repaired or replaced. The engineer recommended that the entire roof (23,160 square feet) be removed down to the structural deck and that a built up style roof be installed. This \$250,000 estimate includes the cost for design specifications, construction and project management.

ARTICLE 41: APPROPRIATE FOR MECHANICAL SYSTEM REPAIR - HILLSIDE SCHOOL BOILER

To see if the Town will vote to raise and appropriate the sum of \$150,000 to replace the Hillside School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$150,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 41 Explanation: At the FY97 Annual Town Meeting, \$125,000 was appropriated for repair of the High School Boiler Feed System. This represented year one of a proposed four year plan to repair mechanical systems in school buildings. The Hillside boiler represents year two of that plan. At present, one of the two boilers at the Hillside School is inoperable. It was installed in 1961 and has reached its life expectancy. The school heating plant was designed to operate on a two boiler, "lead/lag" system. With one boiler inoperable, the remaining boiler (which was installed in 1988) is bearing a heating load that exceeds system design. The consequence will be to shorten the life of this functioning boiler. Further, if the existing functioning boiler shuts down there is no backup boiler to carry the heating load. If this occurred, the School would have to be shut down until the functioning boiler is repaired, or a temporary heating system can be installed.

ARTICLE 42: APPROPRIATE FOR ELEMENTARY SCHOOL ROOF REPAIRS

To see if the Town will vote to raise and appropriate the sum of \$60,000 for roof repairs, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 10 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 42 Explanation: A recently completed roof survey and evaluation of all school building roofs performed by a consultant engineer indicates the need to make repairs to various components of all six elementary school building roofs. This project will address the following conditions found among the schools: missing and damaged flashing, membrane holes, damaged scuppers, damaged gravel stops, inadequate drains, and inadequate HVAC curb and sleeper tie-ins. It is recommended that all this work be done as one project because it should result in savings to the Town through a lower bid price than would occur if each school was bid separately over a number of years.

ARTICLE 43: APPROPRIATE FOR MECHANICAL SYSTEM REPAIR - MITCHELL SCHOOL BOILER DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$18,000 for design specifications to replace the Mitchell School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$18,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted, Funded from the Tax Levy

Article 43 Explanation: The #2 boiler is an eleven section cast iron steam boiler. It is 32 years old. It has reached its life expectancy which is evidenced by the facts that it runs rough, is very inefficient, and is extremely maintenance intensive. This project would entail the preparation of design specifications in order to replace the boiler and related mechanical systems in FY2000. The appropriation for the boiler replacement would be brought before the May 1999 Town Meeting.

ARTICLE 44: APPROPRIATE FOR IMPROVEMENTS TO THE HIGH SCHOOL PARKING LOT

To see if the Town will vote to raise and appropriate the sum of \$350,000 to resurface the High School parking lot; to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$350,000 for a period of up to ten years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 44 Explanation: An engineering firm recently completed a survey of certain school parking lots. In the study, the High School was noted as a high priority needing a variety of improvements at different areas on the site. Conditions cited included the following: the main driveway and North Lot require a mill overlay due to cracking; the South lot is in very poor condition and requires the driveway and faculty lot to be reclaimed and paved; and, the concrete walkways around the school are in poor condition and require replacement. The price includes approximately \$60,000 for traffic controls and alterations to insure the safety of pedestrians.

ARTICLE 45: APPROPRIATE FOR HIGH SCHOOL EXTRAORDINARY REPAIRS

To see if the Town will vote to raise and appropriate the sum of \$210,000 for extraordinary repairs to the high school exterior, to be spent under the direction of the Municipal Building Maintenance Board, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$210,000 for a period of up to 20 years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 45 Explanation: With the exception of the "A" Building, which was renovated in 1988, the High School exterior has not been painted in 20 years. In addition to this deferred maintenance, the paint has tested positive for lead. While funding for this project is being requested at the 1998 Annual Town Meeting, work will not be performed until the Summer of 1999 so as not to interfere with the proposed roofing work at the High School. The winter will be devoted to developing work specifications with the assistance of environmental engineering firm to insure compliance with lead rules. It is estimated that engineering services will cost \$10,000.

ARTICLE 46: APPROPRIATE FOR HIGH SCHOOL GYM RENOVATION DESIGN

To see if the Town will vote to raise and appropriate the sum of \$10,000 for design specifications for renovations to the high school gym, to be spent under the direction of the Permanent Public Building Committee, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$10,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted, Funded from the Tax Levy

Article 46 Explanation: Prior to the October, 1996 rain storm, a capital request for renovation of the gym was submitted for funding. The conditions highlighted in that request as requiring attention were exacerbated by the October storm which caused the gym ceiling to collapse and warped the gym floor. While the floor was repaired, the ceiling has not been replaced. Further, the 1950's ventilation system requires upgrading and the poor lighting in the gym is barely acceptable for the interscholastic varsity sports program.

ARTICLE 47: APPROPRIATE FOR HIGH SCHOOL AUDITORIUM RENOVATION SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$18,000 for design specifications for renovations to the high school auditorium, to be spent under the direction of the Permanent Public Building Committee, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$18,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted, Funded from the Tax Levy

Article 47 Explanation: The High School Auditorium was scheduled for renovation as part of the 1988 building renovation project at the High School. Due to unanticipated asbestos removal costs, the Auditorium work was dropped from the project. Many of the components of the auditorium have not been modified or upgraded since they were installed in 1930. This request is to prepare design specifications for refinishing the stage; re-upholstering 586 seats; replacing the stage curtain, door hardware and carpeting; painting the walls and ceiling, updating sound and light systems; and rehabilitating the ventilation system and temperature controls.

ARTICLE 48: APPROPRIATE FOR HIGH ROCK SCHOOL RENOVATION AND EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$420,000 for equipment and classroom furniture for the the High Rock school, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$420,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 48 Explanation: The current lease of the High Rock School to the Rashi School program will end on July 1, 1998. The Needham School Committee has indicated that it will likely re-open the High Rock as an elementary school in September 1999 to accommodate a growing elementary school population. A September 1999 opening will require the purchase and installation of furniture and equipment during Fiscal Year 1999 including: \$228,000 to re-equip the kitchen and \$11,000 for cafeteria tables, \$28,200 for Voice, Video and Data Network, \$16,560 audio visual equipment, \$34,200 for 18 computer workstations, \$70,000 for 10 classrooms of furniture and \$32,000 for office equipment and furniture. It is anticipated that debt will not be issued for this project until Spring 1999 so that debt service will not affect the Town's operating budget until FY2000.

ARTICLE 49: APPROPRIATE FOR POLLARD SCHOOL FURNITURE AND EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$48,000 for furniture and equipment at the Pollard School to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$48,000 for a period of five years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 49 Explanation: This request is for the replacement of furniture and equipment including science laboratory tables, cafeteria tables and chairs, cork bulletin boards, media and art storage cabinets, and display cases.

ARTICLE 50: APPROPRIATE FOR HANDICAPPED RAMP CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$50,000 for the construction of handicapped ramps at various sidewalk locations, to be spent under the jurisdiction of the Board of Selectmen, and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow up to \$50,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 50 Explanation: On January 21, 1997, the State Architectural Access Board (AAB) issued the Town a Notice of Non-Compliance citing violations at 61 street/sidewalk locations that allegedly failed to meet handicapped access standards. The DPW challenged the specifics of this Notice at hearings held by the AAB in June and August, 1997. The culmination of the hearings was a reduction of the number of locations deemed to be in violation of AAB standards, and an order to the Town to construct 66 ramps at 46 locations. It is estimated that each ramp will cost \$2,500 for a total of \$165,000. Of this amount, \$75,000 can be financed with existing bond authorizations for sidewalk repair, with the difference proposed to be financed over a two year period from debt authorized pursuant to this request, and an additional \$40,000 request to be submitted next year.

ARTICLE 51: APPROPRIATE FOR DPW VEHICLE REPLACEMENT

To see if the Town will vote to raise and appropriate the sum of \$585,850 for DPW equipment, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$585,850 for a period of up to five years, under M.G.L. Chapter 44, Section 7 ; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Adopt but Amend

Article 51 Explanation: The total amount of vehicle replacement to be funded from all sources (i.e., general fund and enterprise fund revenues) equals \$585,850. \$324,600 represents that portion of recommended vehicle replacement to be financed with general obligation debt. The vehicles recommended here are part of the on-going replacement program in the DPW and includes a street sweeper; a sidewalk tractor; a four wheel drive pick-up, a one ton dump truck; 2 station wagons; 2 sedans; a one ton utility truck; an athletic field conditioner; and, a ten ton trailer. An additional \$261,250 is for the replacement of water/sewer department vehicles including: a catch-basin cleaner; one-ton four-wheel drive truck; a utility truck; and a one-ton utility body truck.

ARTICLE 52: APPROPRIATE FOR A MULTI-PURPOSE TRACKLESS SIDEWALK TRACTOR

To see if the Town will vote to raise and appropriate the sum of \$65,000 for a replacement sidewalk tractor; to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$65,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 52 Explanation: The Town's sidewalk plowing equipment does not allow the DPW to meet either the School Department's or parents' expectations in regards to clearing snow from the Town's 52 miles of designated school walking routes. This request is for a Multi-Purpose Trackless Sidewalk Tractor that will serve as lawn cutting equipment and snow removal equipment. A component of the \$585,850 DPW equipment replacement (Article 51) request includes an additional \$65,000 for a track-type sidewalk snow plow (Bombardier) dedicated only for sidewalk snow removal, and is intended to supplement the existing fleet of sidewalk tractors which currently includes two track-type sidewalk plows, one purchased in FY97 and one FY98.

ARTICLE 53: APPROPRIATE FOR A MATERIAL SCREENER

To see if the Town will vote to raise and appropriate the sum of \$128,000 to purchase a Material Screener, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$128,000 for a period of up to five years under M.G.L. Chapter 44 Section 7; or take any other action relative thereto.

INSERTED BY Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 53 Explanation: The total cost of this equipment is \$128,000. Based on estimated use of the screener, it is proposed that 50% of the estimated \$128,000 cost be financed with levy supported debt. The remaining 50% of the cost is proposed to be financed with RTS revenue. A part of the Town's solid waste operation involves sifting materials to separate them into reusable products (e.g., fill for Town highway reconstruction projects and compost for Town and residential use). Currently, the Town rents a "material screener" at a cost of \$20,000 per year to process the compost. Given the estimated cost and useful

life (10 years) of a screener, it is recommended that the Town purchase rather than lease this equipment. In addition, it should be noted that with the closure of the landfill, the Town will no longer have a site to dispose of its own waste material generated primarily by the DPW (e.g., roadway excavation, pavements, street sweeping materials, etc.). The screener will assist in separating out usable products from this waste, precluding the need for the Town to have this material transferred off site, or spending additional amounts to rent a screener on a more regular basis.

ARTICLE 54: APPROPRIATE FOR SIDEWALK REPAIR/RESURFACING

To see if the Town will vote to raise and appropriate the sum of \$65,000 for sidewalk repair and resurfacing, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$65,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 54 Explanation: The School Department's busing policy has resulted in more school age children walking to school. This has placed a greater emphasis on the condition of sidewalks along designated walking routes. As a result of level funding of the operating budget for street and sidewalk maintenance during the last several years, however, little work on sidewalks can be undertaken. The DPW has reviewed recommendations from the School Safety Study Committee to undertake repairs along specific walking routes. It is proposed that this year's funding be applied to the highest priority street on the list: Warren Street, from School Street to Gayland Road.

ARTICLE 55: APPROPRIATE FOR RENOVATION OF HIGH ROCK AND HIGH SCHOOL GROUNDS

To see if the Town will vote to raise and appropriate the sum of \$154,000 for renovations to the High Rock and High School grounds, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$154,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted, Funded from the Tax Levy

Article 55 Explanation: FY99 will be year four of a five year plan to transfer maintenance of school athletic fields and playgrounds to the DPW Parks Division. Part of this plan was an agreement to make improvements to the fields prior to their transfer. In FY96, capital improvements were made to the Newman School Grounds. In FY97, capital improvements were made to the Pollard Middle School/Greens' Field Grounds and in FY98 improvements are being made to the Hillside/Mitchell School Grounds. Authorization of \$154,000 is needed to bring the High Rock/High School fields and tennis courts up to acceptable standards prior to transferring their maintenance to the DPW.

ARTICLE 56: APPROPRIATE FOR PARISH ROAD RECONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$575,000 for reconstruction of Parish Road, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$575,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 56 Explanation: Parish Road, from Nehoiden Street to Central Avenue, has required constant maintenance for the past 5 years. Deferral of a funding request for reconstruction in 1994 prompted the DPW to place a thin "spreader patch" over a significant length of the road as a stopgap measure. This provided a passable surface and helped to hold the road together over the severe 1994-1995 winter. This patch is beginning to show signs of deterioration, however, making it increasingly difficult to hold this roadway together through upcoming winters. High traffic volume, poor drainage, patched pavement, and irregular surfaces make this road a high priority for reconstruction. Additional funding for maintenance will not be cost effective. The inability to keep this pavement together during winter conditions makes this roadway unsafe. This road is not included in the State or Federal highway classification system and, therefore, is not eligible for State or Federal aid. Given its high priority, design of this project has already been completed to the 25% design stage by the DPW Engineering Division.

ARTICLE 57: APPROPRIATE FOR IMPROVEMENTS TO MEMORIAL PARK PARKING LOT

To see if the Town will vote to raise and appropriate the sum of \$30,000 to resurface Memorial Park parking lot, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$30,000 for a period of up to five years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 57 Explanation: Memorial Park Parking Lot will need to be resurfaced based on its current condition. As a means of extending the life of the existing pavement, the lot received a crack sealing treatment in 1993 along with repairs of significantly deteriorated and damaged areas.

ARTICLE 58: APPROPRIATE FOR WEST STREET PUMPING STATION CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$3,000,000 to reconstruct the West Street Pumping Station, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 58 Explanation: This pump station is 60 years old and is vulnerable to a complete pump station failure. In addition, its current design results in operating inefficiencies. The ability to expand and/or modify the existing station to address defects does not exist. A variety of factors contribute to the vulnerability and inefficiency of this facility. They include the following: (1) the last major upgrade of the facility was 35 years ago; (2) the increase in the volume of wastewater as a result of the overall growth and development in the service area has made the present facility obsolete; (3) the wastewater collection chamber (wet well) is severely undersized causing an excessively high number of operating hours of the pumping equipment; and, (4) due to the limitation of space at the pump station, increase in flows due to development cannot be accommodated by the installation of additional pumps. Thus, existing pumps become overburdened which shortens their useful life.

Aside from the operational limitations, this facility does not meet current safety code requirements or minimum operating standards for many of the electrical, plumbing and HVAC systems. This project has been bid and a final cost will be presented at the Town Meeting.

ARTICLE 59: APPROPRIATE FOR WEST STREET FORCE MAIN CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$820,000 to replace the West Street force main, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of

Selectmen, is authorized to borrow up to \$820,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 59 Explanation: During the preliminary investigation for the design of the West Street pumping station the need to replace the West Street force main was identified. After further study by the Town's consulting engineer and Water and Sewer Division personnel, it was discovered that the hydraulic conditions in the receiving manhole of the main at the intersection of West Street and Highland Avenue were causing surcharging conditions. This fact, coupled with the projected increased hydraulic impact of the new, larger pumps and motors slated to be installed at the new West Street pumping station, indicate the need to relocate the existing force main. The proposed new route parallels Rosemary Brook and runs up Rosemary St. to Highland Avenue.

This project along with the West Street Interceptor and Reservoir Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$820,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be available when this request comes before the 1998 Annual Town Meeting for approval.

ARTICLE 60:

APPROPRIATE FOR WEST STREET INTERCEPTOR CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$335,000 to replace the West Street interceptor; to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$335,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 60 Explanation: The West Street wastewater interceptor carries wastewater from two-thirds of the service area to the West St. Pump Station. Proposed construction of a new West Street wastewater force main prompted the investigation of the adjacent interceptor. The investigation revealed serious blockages caused by broken and collapsing pipe, infiltration and heavy root intrusion. The risk of total failure of this line is high and could occur at any time resulting in a serious public health hazard including possible contamination of Wellesley's water supply through a direct discharge of wastewater into Rosemary Brook which feeds that water supply.

This project along with the West Street Force Main and the Reservoir Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$335,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be in hand when this request comes before the 1998 Annual Town Meeting for approval.

ARTICLE 61:

APPROPRIATE FOR RESERVOIR STREET PUMP STATION INTERCEPTOR CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$450,000 to rehabilitate the Reservoir Street pump station interceptor, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$450,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 61 Explanation: *A closed circuit television inspection has identified a serious problem in the wastewater interceptor that runs from Highland Circle to the Reservoir Street Pumping Station. The inspection reveals that there is approximately 700 feet of collapsing sewer pipe in addition to 400+ feet of cracked pipe. This pipe is constantly under surcharging conditions which triggers infiltration further collapsing the adjacent piping.*

This project along with the West Street Force Main and the West Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$450,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be in hand when this request comes before the 1998 Annual Town Meeting for approval.

ARTICLE 62: APPROPRIATE FOR RTS TRANSFER TRAILERS

To see if the Town will vote to raise and appropriate the sum of \$40,000 for the purchase of a solid waste transfer trailer, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$40,000 for a period of up to five years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 62 Explanation: *The second cycle of replacement for the three main solid waste transfer trailers was initiated with the FY97 budget. The second trailer was funded in the FY98 budget and the third trailer is proposed here. The least damaged trailers are being retained to supplement the recycling expansion requirements. The retained trailers will be used to haul the less handled, non-compacted & lighter recyclables. The future trailer replacements, which are now scheduled on a 3 to 4 year rotation schedule. The older recycling trailers will be used for trade-in against new replacement trailers. It is anticipated that the total life of the trailers will be 6 to 8 years.*

ARTICLE 63: APPROPRIATE FOR STORM DRAIN IMPROVEMENTS

To see if the Town will vote to raise and appropriate the sum of \$30,000 for storm drain improvements, to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 63 Explanation: *Notwithstanding the fact that it is recommended that a storm drain master plan be developed before new storm drain projects are undertaken, there is an improvement project that should be considered before the plan is completed. The project involves the installation of additional storm drains on Grove Street, opposite Pine Hill Road. The need for this project is prompted by the identification of deficiencies in the street drainage following the construction of Pine Hill Road.*

ARTICLE 64: APPROPRIATE FOR TOWNWIDE TELEPHONE SYSTEM

To see if the Town will vote to raise and appropriate the sum of \$300,000 to upgrade the Town's Telephone System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$300,000 for a period of up to five years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 64 Explanation: The Town's current phone system hardware is eleven years old. It is undersized, inefficient and has adverse impacts on productivity and customer relations. Many of the features that are commonly in use in public and private organizations are not available on this system due to its age. In addition, two separate agreements with Bell Atlantic for Centrex Service, one with the School Department and one with General Government, expire on January 1, 1999. Given these conditions, the Town is conducting an assessment of departmental phone needs to be followed by the design of a system to meet these needs. The figure quoted above is preliminary.

ARTICLE 65: APPROPRIATE FOR COMPUTER UPGRADE - POLICE / FIRE STATION

To see if the Town will vote to raise and appropriate the sum of \$60,000 to upgrade the Public Safety Computer System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 5 years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 65 Explanation: The IBM AS400 computer located at the Police Department is the platform for a variety of databases that are critical to public safety dispatching and record-keeping. The system was acquired in 1993 and is now operating at 79 percent of system storage. At best, it is projected that the remaining 21 percent of storage will be sufficient to carry the system until July, 1998. Remaining capacity will be consumed by anticipated operating system and software application upgrades, and the activation of the fire incident reporting system. If the system is not upgraded, it will require the elimination of data that is important to the efficient delivery of public safety services. An upgrade will quadruple current main memory and disk storage and should provide adequate capacity for another five years.

ARTICLE 66: APPROPRIATE FOR POLICE RADIO SYSTEM

To see if the Town will vote to raise and appropriate the sum of \$90,000 for replacement of the police radio system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$90,000 for a period of up to ten years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 66 Explanation: The Police radio communications infrastructure consists of antennas, repeaters/receivers, transmitters and a comparator. While the equipment is not malfunctioning, given its age (20 years), the difficulty in obtaining replacement parts and the critical role it plays in facilitating the delivery of public safety services, it is prudent to replace this equipment in Fiscal Year 1999.

ARTICLE 67: APPROPRIATE FOR FIRE ENGINE REPLACEMENT

To see if the Town will vote to raise and appropriate the sum of \$300,000 to replace Fire Engine 2, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$300,000 for a period of up to 15 years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

***Article 67 Explanation:** The current Engine #2 is a 22 year old pumper. It serves as a backup piece to Engine #1 and Engine #3 housed at the Chestnut Street Station, and Engine #4 housed at the Heights. Engine #2 is showing increasing signs of wear as evidenced by the amounts paid for extraordinary maintenance in FY 96 (\$5,220) and FY97 (\$8,421). Purchase of a replacement for Engine #2 will relegate Engine #3, a 10 year old pumper, as the backup unit. It is anticipated that delivery would occur six to twelve months after ordering the vehicle. Consequently, this project would have no impact on FY99 debt service.*

ARTICLE 68: APPROPRIATE FOR EMERGENCY MANAGEMENT RADIO EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$31,000 for replacement of the Emergency Management Radio Equipment, to be spent under the direction of the Board of Selectmen, and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

***Article 68 Explanation:** The radio system used by the Office of Emergency Management is barely operable and subject to frequent breakdowns. In addition to supporting Emergency Management, it is also used by the School Department to communicate to School Bus Drivers while they operate their buses. The system is fifteen years old.*

ARTICLE 69: APPROPRIATE FOR A REPLACEMENT OF FIRE CHIEF'S VEHICLE

To see if the Town will vote to raise and appropriate the sum of \$28,000 to replace the Fire Chief vehicle; to be spent under the direction of the Board of Selectmen, and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not Be Adopted

***Article 69 Explanation:** The current inspection vehicle, a 1989 Crown Victoria has 148,000 miles on it. This proposal would trade this vehicle in, replace it with the current vehicle of the Deputy Chief of Operations (a 1991 Crown Victoria), relegate the current Chief's car (a 1994 Crown Victoria) to the Deputy Chief, and assign the new vehicle to the Chief.*

ARTICLE 70: APPROPRIATE FOR ROSEMARY POOL MAINTENANCE

To see if the Town will vote to raise and appropriate the sum of \$15,000 for maintenance to Rosemary Pool, to be spent under the direction of the Park and Recreation Commission, and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

***Article 70 Explanation:** The funding in this Article is for the sandblasting of Rosemary Pool. The sandblasting of the steel; sheet piling is normally done every 5 - 8 years. Exterior sandblasting was last done in 1986; interior in 1989. After the pool is examined this spring the funding will be used to sandblast the area most in need.*

ARTICLE 71: APPROPRIATE FOR REPAIRS TO FIELDS, FENCES AND BUILDINGS

To see if the Town will vote to raise and appropriate the sum of \$25,000 for maintenance to fields, fences, and buildings, to be spent under the direction of the Park and Recreation Commission, and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted

Article 71 Explanation: Through the work of the Buildings and Grounds Study Committee and the Open Space Master Plan Committee, safety and accessibility issues have been noted at parks under the jurisdiction of the Commission and the Board of Selectmen. In FY96, \$21,000 was appropriated for backstop repairs at Cricket and Walker-Gordon; boundary fencing at Cricket, Walker-Gordon, and DeFazio; and carpentry and repainting of the Cricket Building. Remaining work includes: rehabilitating Cricket diamond, Perry diamond, Avery diamond, Dwight diamond; watering systems at Claxton and Walker-Gordon; accessible paths to playground equipment at Claxton and DeFazio; accessibility repairs at Rosemary Pool bathhouse; and, re-paving basketball court at Perry Park.

ARTICLE 72: APPROPRIATE FOR A COMPUTER UPGRADE - ASSESSORS

To see if the Town will vote to raise and appropriate the sum of \$35,000 for a computer upgrade for the Assessors, to be spent under the direction of the Board of Assessors and raised from the tax levy, or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 72 Explanation: The file server and terminals that support the Assessor's Computer Assisted Mass Appraisal (CAMA) system are six years old. The developer of the CAMA system software is developing upgrades of the software that will require graphic user interface capabilities which are not a component of the current system. The new system will be easier to use than the current system, which will facilitate staff training and customer service.

ARTICLE 73: RESCIND BOND AUTHORIZATION

To see if the Town will vote to rescind a part of certain authorizations to borrow funds, which were approved in prior years, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the amount approved:

Article 53, 1994 ATM (DPW Equipment)	\$76
Article 30, 1995 ATM (Newman)	\$536
Article 6, 1995 STM (High School Boilers)	\$370
Article 44, 1995 ATM (Fire Dept. Radio Equipment)	\$13,000
Article 41, 1996 ATM (DPW Equipment)	\$50

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 73 Explanation: The above noted projects have been completed. It is necessary for Town Meeting to rescind the balances of the bond authorization so that these authorizations can be removed from the Town's financial records.

ARTICLE 74: APPROPRIATE FOR NEW DEBT SERVICE

To see if the Town will vote to raise and appropriate the sum of \$57,875 from the tax levy for the payment of interest on debt in fiscal year 1999 for capital projects approved at the 1998 Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Final Recommendation Pending Town Meeting Votes on Capital Articles

Article 74 Explanation: This Article is to fund the first year's general fund debt service for those Capital Articles (40-72) approved by Town Meeting. The amount will be amended, if necessary, based on those Articles approved by Town Meeting. Debt Service for the Town's Enterprise Funds (Articles 25-27) is found in those Articles.

GENERAL BY-LAW ARTICLES / STATE LAW ACCEPTANCES

ARTICLE 75: AMEND GENERAL BY-LAWS - SECTION 9.2.2.6 (BOARD OF HEALTH REGULATIONS)

To see if the Town will vote to Amend its General By-Laws by deleting Section 9.2.2.6 in its entirety and replacing it with the following:

9.2.2.6 Board of Health Regulations

1. Disposal of Refuse - Article 3

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse
 Fine Schedule:
 First Offense - twenty five dollars (\$25)
 Subsequent Offenses - one hundred dollars (\$100)

2. Nuisance and General Sanitation - Article 4

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse
 Fine Schedule:
 First Offense - twenty five dollars (\$25)
 Subsequent Offenses - one hundred dollars (\$100)

3. Hazardous Waste Clean-Up effective 1/14/89 - Article 2

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse
 Fine Schedule:
 \$25 - First Day
 \$50 - Subsequent days

4. Regulation Affecting Smoking and the Sale and Distribution of Tobacco in Needham Article 1 Section 1.6 Retail Sale of Tobacco Products

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:
 First Offense - Warning
 Second Offense - one hundred dollars (\$100)
 Third Offense - two hundred dollars (\$200)
 Fourth and Subsequent Offenses - three hundred dollars (\$300)

5. Well Drilling and Registration Regulations - Article 14

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:
 First and Subsequent Offenses: \$300 Fine

6. All Other Board of Health Regulations:

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:

First Offense - warning

Second Offense - twenty dollars (\$20)

Third and Subsequent Offenses - fifty dollars (\$50)"

Or take any other action relative thereto.

INSERTED BY: Board of Health

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 75 Explanation: Proposed changes apply to the Non-criminal Disposition of Board of Health regulations. Changes would add the Public Health Nurse as enforcing agent, change name of Sanitarian to Environmental Health Agent, increase the fines for violations of Article 3 – Disposal of Refuse and Article 4– Nuisance and General Sanitation and add a \$300 fine for violations of the Well Drilling and Registration Regulation.

ARTICLE 76:**ACCEPT MGL CHAPTER 40 SECTION 8G
(AGREEMENTS FOR MUTUAL POLICE AID)**

To see if the town will vote to accept MGL Chapter 40 Section 8G; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 76 Explanation: This law allows the Town, through the Police Chief, to enter into mutual aid agreements with other towns for the use of personnel and equipment for those situations where the town resources are insufficient to handle a particular activity or event.

ARTICLE 77:**AMEND GENERAL BY-LAW SECTION 2.1.5 (ABSENCES BY MEMBERS OF
APPOINTEE COMMITTEES)**

To see if the Town will vote to amend Section 2.1.5 of the General By-Laws by deleting paragraphs 2.1.5.1 and 2.1.5.2 in their entirety and replacing them with the following paragraphs:

"2.1.5.1 Definitions

For the purposes of this Section 2.1.5 the following words shall have the following meanings:

a) appointive committee: A committee, commission or board of the Town composed of members appointed by one or more appointing authorities and created by:

1. Town by-law,
2. vote of Town Meeting,
3. vote of a committee, commission or board of the Town, or
4. interdepartmental agreement.

b) Excessive absences: The failure to attend three or more consecutive meetings of the appointive committee.

c) Medical incapacity: The determination of a duly licensed medical doctor that the person is incapable of performing the duties of the office because of a lack of physical or mental capacity.

2.1.5.2 The appointing authority may remove and replace any person it has appointed to an appointive committee prior to the end of his or her term for excessive absences from committee meetings or because of medical incapacity, but only upon the written request of a majority of the remaining members of the appointive committee."

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 77 Explanation: The 1977 Annual Town Meeting approved a General By-Law to address those situations when a member is excessively absent from an appointive committee. The Attorney General rejected the by-law because the term "excessive absences" was not adequately defined. Town Counsel has redrafted the by-law with clear definitions.

ARTICLE 78: ACCEPT MGL CHAPTER 143 SECTION 3Z (LOCAL BUILDING INSPECTOR AUTHORIZED TO ENGAGE IN PRIVATE PRACTICE)

To see if the Town will vote to accept MGL Chapter 143 Section 3Z allowing part-time building inspectors, local inspectors or alternative inspectors to engage in private practice or employment; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 78 Explanation: Current State regulations prohibit local inspectors and part-time and alternate building inspectors from engaging in any private business within the Town. Acceptance of this statute will allow these employees to engage in private practice in the Town. This is important since the Town employs various local tradesmen (plumbers, electricians) as alternate inspectors. If this law is accepted, these employees will continue to be prohibited from inspecting any work in which they are associated as part of their private practice.

ARTICLE 79: AMEND GENERAL BY-LAWS SECTION 1.2 (POSTING OF TOWN MEETING WARRANT)

To see if the Town will vote to amend its General By-law by deleting Section 1.2 in its entirety and replace it with the following:

"Section 1.2 Notification

All Town Meetings shall be notified and warned by posting attested copies of the Warrant calling for the Town Meeting in not less than twenty public places in the Town at least seven days before the Annual Town Meeting and at least fourteen days before any Special Town Meeting."

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 79 Explanation: The current By-law is ambiguous and inconsistent with State law regarding the posting of the Warrant for a special town meeting. The proposed change would establish a 14 day posting requirement for a special town meeting, consistent with MGL Chapter 40 Section 10.

ARTICLE 80: AMEND GENERAL BY-LAWS (DETERMINE BY TWO-THIRDS VOTE)

To see if the Town will vote to amend Section 1.4 of the General By-Laws by amending the name of that section from "Roll Call" to "Votes", by renumbering the presently existing text to paragraph "1.4.2" and by adding a new paragraph "1.4.1" as follows:

- 1.4.1 If two-thirds, four-fifths or nine-tenths vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office."

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 80 Explanation: A recent change in State law allows a town to pass a local by-law permitting the Town Moderator to declare certain votes (two-thirds, four-fifths, nine-tenths) without calling for a specific count of those voting yea and nay.

ARTICLE 81: AMEND GENERAL BY-LAWS (LIEN UNCOLLECTED SOLID WASTE CHARGES)

To see if the Town will vote to amend the General By-Laws by adding a new section 2.2.3.5 as follows:

“2.2.3.5 Municipal /Changes Lien. The Town, acting through its Board of Selectmen, shall impose a lien on real property located within the Town for any solid waste disposal fee or charge which has not been paid by its due date, in accordance with the provisions of MGL Chapter 40 Section 58.”

And renumber subsequent sections accordingly. Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article 81 Explanation: Effective in January 1998, the Town instituted a billing system for commercial haulers using the Recycling and Transfer Station. In addition, users disposing of certain bulky goods are invoiced for the disposal of these materials. This by-law, if adopted, will allow the Town to lien onto the property bill any unpaid solid waste disposal fee or charge.

ARTICLE 82: AN ACT TO ALLOW THE VOTERS IN THE TOWN OF NEEDHAM TO DECIDE IF THE TOWN OF NEEDHAM SHALL HAVE A HORACE MANN CHARTER SCHOOL

To see if the town will authorize the Board of Selectmen to petition the General Court, in compliance with clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, for the enactment of a special law substantially in the following form of the proposed act printed below as part of this article and entitled “AN ACT TO ALLOW THE VOTERS IN THE TOWN OF NEEDHAM TO DECIDE IF THE TOWN OF NEEDHAM SHOULD HAVE A HORACE MANN CHARTER SCHOOL” or in such form as the General Court may deem appropriate, as law relating to the Town of Needham; or take any other action relative thereto.

Be it enacted by the Senate and House of Representatives in the General Court assembled and by the authority of same, as follows:

SECTION 1. The following ballot question shall be placed on the ballot in the Town of Needham in the first general election following the enactment of this act:

“Shall the Town of Needham have a Horace Mann Charter School?”

SECTION 2. If a majority of the voters in said election vote in the negative on this ballot question, then no Horace Mann Charter School shall be built, exist or be implemented in the Town of Needham and no building owned by the Town of Needham shall be renovated for the purpose of housing a Horace Mann Charter School, and all work started to implement a Horace Mann Charter School in the Town of Needham shall cease and desist immediately. Furthermore, if a majority of the voters in said election vote in the negative on this ballot question, any charter granted for a Horace Mann Charter School to the Needham Public Schools, Needham School Committee, Horace Mann Charter School Board of Directors in the Town of Needham, or any other town department or appointed or elected body will immediately be null and void and be terminated.

SECTION 3. This act shall take effect upon enactment.

INSERTED BY: Citizen's Petition

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 82 Explanation: None provided by proponents.

ARTICLE 83: RESOLUTION FOR SCHOOL COMMITTEE TO RECONSIDER THE HORACE MANN CHARTER SCHOOL

To see if the town will adopt the following resolution or take any other action relative thereto:

RESOLVED: The Town of Needham, the School Committee, and the people of Needham have not had adequate time to properly evaluate the impact of the Horace Mann School on the entire school system and the town at-large, and did not solicit enough input from the community to make an informed decision.

We therefore recommend that the Needham School Committee reconsider implementing the Horace Mann Charter School at High Rock School or at any other location and to solicit further comment from the community, and present to the town a report on the impact of the Horace Mann Charter School relative to the rest of the school system and the town at-large, including without limitation, capital improvements and new construction.

INSERTED BY: Citizen's Petition

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article 83 Explanation: None provided by proponents

**ARTICLE 84: AMEND GENERAL BY-LAWS SECTION 1.15
(THREE YEAR OPERATING AND CAPITAL BUDGET)**

To see whether the Town will vote to require that the Board of Selectmen direct the Town Administrator and the Director of Finance to prepare and submit to the Town Meeting a projected Consolidated Operating and Capital Budget for the Town for the next three fiscal years commencing with FY2000, and annually for each rolling three year period, with the first Budget to be submitted at any Special Town Meeting that might be called during FY1999, and subsequent Budgets to be submitted at each Annual Town Meeting; or take any other action relative thereto.

INSERTED BY: Citizen's Petition

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

Article 84 Explanation: The Needham Taxpayers Association (NTA) has sponsored and recommends for adoption a Warrant Article that would require town management to develop and present to all annual Town Meetings a multi-year consolidated town budget / financial plan.

The NTA feels this is urgently needed for a number of reasons. Needham's Town budget is approaching \$60 million. Town Meeting is repeatedly asked to approve expenditures for labor contracts and borrowing to support capital projects in a financial vacuum. This dynamic is a disservice to all Town Meeting Members as they are called upon to exercise the most important power of Town Meeting; prudent use of taxpayers funds to run the Town of Needham. What is critically needed is for these decisions to be made in the context of future year consequences of those spending / borrowing decisions on the entire budget.

Town Meeting Members have a fiduciary responsibility to all of the taxpayers of Needham. They cannot and should not be expected to properly discharge this duty in the absence of the adequate budgetary information found in a sound long term financial context.

TOWN MEETING COMMITTEES

ARTICLE 85: CONTINUE COMMUNITY CENTER STUDY COMMITTEE

To see if the Town will continue the Community Center Study Committee established by vote of the 1994 Annual Town Meeting under Article 59, to direct and authorize said Committee to study the options for providing a community facility that

may meet the current and future needs for youth, recreation, cultural and senior programs, said Committee shall report back to the next Annual Town Meeting or sooner; or take any other action relative thereto.

INSERTED BY: Community Center Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ARTICLE 86: CONTINUE SCHOOL SAFETY STUDY COMMITTEE

To see if the Town will vote to continue the School Safety Study Committee, established by vote of the 1991 Special Town Meeting under Article 10, direct and authorize said Committee to continue the study and evaluation of safe walking routes for Needham School children, to develop and recommend minimum and uniform safety criteria regarding school walking routes, to address the issue of age appropriate walking routes and distances and to generally examine the issue of safe student access to and from their schools, said Committee to report to the next Annual Town Meeting or sooner; or take any other action relative thereto.

INSERTED BY: School Safety Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ARTICLE 87: CONTINUE SOLID WASTE DISPOSAL/RECYCLING ADVISORY COMMITTEE

To see if the Town will vote to continue the Solid Waste Disposal/Recycling Advisory Committee, established by vote of the 1966 Annual Town Meeting under Article 73 and amended under Article 40 of the 1993 Annual Town Meeting, direct and authorize said Committee to continue to investigate all methods of collection and disposal of solid waste, said Committee to report to the next Annual Town Meeting or sooner; or take any other action relative thereto.

INSERTED BY: Solid Waste Disposal/Recycling Advisory Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ARTICLE 88: CONTINUE THE NEEDHAM CEMETERY STUDY COMMITTEE

To see if the Town will vote to continue the Committee studying the Needham Cemetery established by vote of the 1995 Annual Town Meeting under Article 65, direct and authorize said Committee to study the feasibility of the Town of Needham acquiring the ownership and management of the Needham Cemetery, said Committee to report to the next Annual Town Meeting or sooner; or take any other action relative thereto.

INSERTED BY: Needham Cemetery Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ARTICLE 89: CONTINUE THE NEEDHAM GOVERNMENTAL REVIEW STUDY COMMITTEE

To see if the Town will continue the Needham Governmental Review Study Committee established by vote of the 1997 Annual Town Meeting, under Article 71, said committee shall report back to the next Annual Town Meeting or sooner, or take any other action relative thereto.

INSERTED BY: Needham Governmental Review Study Committee

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

ARTICLE 90: OMNIBUS ARTICLE

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town Officer or Committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

and you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

If you fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this Tenth day of March, 1998

Daniel P. Matthews, Chairman
John H. Cogswell, Vice Chairman
William M. Powers
John D. Marr, Jr.
Paul Theodore Owens

Selectmen of Needham

true copy
attest:
Constable

SUMMARY OF PROPOSED CAPITAL PROJECTS - FY 2000 - 2003

The FY1999 to 2003 Capital Improvement Plan (CIP) is the proposed schedule for the expenditure of funds to build, replace, and maintain the public facilities used by the citizens of Needham. The Capital Budget is the first year of the CIP and is reflected in 1998 Annual Town Meeting Warrant Articles #39 through #72. In addition, the CIP included other capital project requests for funding in FY1999 or future years. Those projects which were deferred for further consideration are shown in the list below.

DEFERRED AND FUTURE PROJECTS

PROJECT	FY99-2003 COST	POTENTIAL FUNDING SOURCE	FY99 [note 1]	YEAR FUNDING INITIALLY REQUESTED			
				FY2000	FY2001	FY2002	FY2003
MUNICIPAL BUILDING MAINTENANCE BOARD							
1. ROOF REPLACEMENTS (EMORY GROVER/LIBRARY)	250,000	G.O.DEBT		220,000	30,000		
2. MECHANICAL SYSTEMS (SCHOOLS)	721,200	G.O.DEBT		169,200	178,000	174,000	200,000
3. EXTERIOR PAINTING (POLICE / FIRE , HIGH SCHOOL MITCHELL BROADMEADOW	161,000	G.O.DEBT	35,000		63,000	63,000	
4. WOMENS LOCKER ROOM RENOVATIONS (H.S.)	78,000	G.O.DEBT			78,000		
5. HIGH SCHOOL GYM RENOVATION	80,000	G.O.DEBT		80,000			
6. HIGH SCHOOL AUDITORIUM RENOVATION	150,000	G.O.DEBT		150,000			
7. WINDOW REPLACEMENT (HILLSIDE/HIGH ROCK EMORY GR) (High Rock/Emory Grover/Hillside/ DPW Storage Garage/Mitchell	1,012,000	G.O.DEBT		94,000	101,000	302,000	515,000
8. SCHOOL PARKING LOT REPAIRS (Newman/Pollard)	661,480	G.O.DEBT	65,435	329,935	266,110		
9. POLLARD BRIDGE RECONSTRUCTION	45,000	AVAIL/FUNDS		45,000			
10. ADA COMPLIANCE - POLLARD/HIGH ROCK SCHOOLS	325,000	AVAIL/FUNDS	50,000	275,000			
SUB TOTAL	3,483,680		150,435	1,363,135	716,110	539,000	715,000
FIRE DEPARTMENT							
11. REPLACEMENT OF C-1 (FIRE CHIEF'S CAR)	35,000	AVAIL/FUNDS					35,000
12. REPLACEMENT OF FIRE RESCUE 2	135,000	G.O.DEBT		135,000			
13. REPLACEMENT OF FIRE C-2	40,000	AVAIL/FUNDS			40,000		
14. REPLACEMENT OF FIRE ENGINE LADDER 1	550,000	G.O.DEBT			550,000		
15. REPLACEMENT OF FIRE ALARM BUCKET TRUCK(C-5)	70,000	G.O.DEBT				70,000	
16. REPLACEMENT OF FIRE ENGINE 3	300,000	G.O.DEBT				300,000	
SUBTOTAL	1,130,000		0	135,000	590,000	370,000	35,000
DEPARTMENT OF PUBLIC WORKS							
17. MUNICIPAL PARKING LOT IMPROVEMENTS	45,000	G.O.DEBT (pkgng.meter fund)		45,000			
18. DEFAZIO ACCESS ROAD/PARKING LOT RECONS.	360,000	G.O.DEBT		135,000	225,000		
19. GEOGRAPHIC INFORMATION SYSTEM	622,900	G.O.DEBT (water/sewer fees)		80,000	193,200	215,300	134,400
20. DPW BUILDING ADA RENOVATIONS	1,800,000	G.O.DEBT (water/sewer fees)	225,000	1,575,000			
21. VEHICLE EQUIPMENT WASH SYSTEM	TBD	G.O.DEBT (water/sewer fees)			UNDETERMINED		
22. BIRD STREET RECONSTRUCTION	495,000	G.O.DEBT		495,000			
23. SUBDIVISION RD (CANTERBURY LANE ELDER RD/GARY RD/ LEE RD)	635,000	G.O.DEBT			635,000		
24. SUBDIVISION RD (LAWTON RD/ NOANETT RD/ AMELIA RD/ HEWETT CIR)	670,000	G.O.DEBT				670,000	
25. SUBDIVISION RD (EVELYN RD / YALE RD/ BOWER ST/ HARVARD CIR)	490,000	G.O.DEBT					490,000

DEFERRED AND FUTURE PROJECTS CONTINUED

PROJECT	FY99-2003 COST	POTENTIAL FUNDING SOURCE	FY99 [note1]	YEAR FUNDING INITIALLY REQUESTED			
				FY2000	FY2001	FY2002	FY2003
26. SIDEWALK REPAIR AND RESURFACING	270,000	G.O.DEBT	0	40,000	80,000	90,000	60,000
27. TRAFFIC SIGNAL EQUIPMENT REPLACEMENT	200,000	G.O.DEBT		50,000	50,000	50,000	50,000
28. PURCHASE OF SIDEWALK TRACTORS	65,000	G.O.DEBT		65,000			
29. TRANSFER TRAILER REPLACEMENT	135,000	RTS FEES			43,500	45,000	46,500
30. RENOVATION BROADMEADOW AND ELIOT SCHOOL GROUNDS	137,000	G.O.DEBT		137,000			
31. STORM DRAIN MASTER PLAN	TBD	G.O.DEBT		TBD			
32. STORM DRAINAGE IMPROVEMENTS	TBD	G.O.DEBT	TBD	TBD	TBD	TBD	TBD
33. EPA STORMWATER DISCHARGE PERMIT	TBD	G.O.DEBT		TBD			
34. EPA STORM DRAIN DISCHARGE IMPROVEMENT	TBD	G.O.DEBT			TBD		
35. SEWER SYSTEM REHABILITATION DESIGN (AREA20)	150,000	SEWER FEES		150,000			
36. SEWER SYSTEM REHABILITATION DESIGN (AREA 24)	150,000	SEWER FEES	150,000				
37. MOBILE WASTEWATER BYPASS PUMP	35,000	SEWER FEES	35,000				
38. HANDICAPPED RAMPS-AAB NONCOMPLIANCE NOTICE	40,000	G.O.DEBT		40,000			
39. SEWER REHABILITATION-NEWMAN EASEMENT	TBD	SEWER FEES					
40. SEWER REHABILITATION-FRANK ST EASEMENT	TBD	SEWER FEES					
41.. WATER SYSTEM REHABILITATION	2,500,000	SEWER FEES	500,000	500,000	500,000	500,000	500,000
42. WATER METER REPLACEMENT PROGRAM	3,000,000	WA/SEW FEES	1,980,000	1,020,000			
43. BROADMEADOW SCHOOL PARKING LOT IMPR.	385,000	G.O.DEBT	385,000				
44. MEMORIAL PARK VIEWING STANDS	96,200	G.O.DEBT	96,200				
45. DPW EQUIPMENT REPLACEMENT	3,361,774	G.O.DEBT	648,600	747,061	596,031	343,808	1,026,274
SUBTOTAL	15,642,874		4,019,800	5,079,061	2,322,731	1,914,108	2,307,174
PARK AND RECREATION							
46. REPAIRS TO FIELDS/FENCES/BUILDINGS	21,000	G.O.DEBT		21,000			
47. ROSEMARY POOL MAINTENANCE PROJECTS	15,000	AVAIL/FUNDS		15,000			
48. ROSEMARY POOL COMPLEX IMPROVEMENTS	100,000	G.O.DEBT		100,000			
49. DEFAZIO BASKETBALL COURT CONSTR.	25,000	AVAIL/FUNDS				25,000	
SUBTOTAL	161,000		0	136,000	0	25,000	0
LIBRARY							
50. LIBRARY INTERIOR SPACE RENOVATION	TBD	STATE AID/ G.O.DEBT	TBD				
SUBTOTAL	TBD		TBD				
FINANCE							
51. TOWNWIDE COMPUTER NETWORK	92,500	G.O.DEBT		92,500			
52. TOWNWIDE COMPUTER SYSTEM UPGRADE	200,000	G.O.DEBT					200,000
53. TOWN FORMS/POSTAGE EQUIPMENT	36,000	G.O.DEBT					36,000
SUBTOTAL	328,500		0	92,500	0	0	236,000
TOTAL	20,746,054		4,170,235	6,805,696	3,628,841	2,848,108	3,293,174

NOTE 1: PROJECTS IN THIS COLUMN WERE PREVIOUSLY PLANNED FOR FY99 OR EARLIER, BUT ARE BEING DEFERRED FOR FINANCIAL REASONS

TOWN OF NEEDHAM, MASSACHUSETTS

1998 ANNUAL TOWN MEETING WAR

TOTAL AUTHORIZED DEBT WITHIN LEVY, ISSUED AND ESTIMATED

SUMMARY

DEPT	AMOUNT AUTHORIZED	AMOUNT ISSUED	PURPOSE	DATE VOTED	ART. #	DATE ISSUED	FY 98			FY 99			FY00	FY01	FY02
							Principal	Interest	Total	Principal	Interest	Total	Total	Total	Total
1. HOSPITAL	735,600	735,000					86,250	14,819	101,069	86,250	11,477	97,727	94,191	31,802	30,634
2. TAX LEVY	8,519,032	7,638,400					1,195,771	252,299	1,448,070	1,267,600	225,749	1,493,349	1,042,608	989,773	769,034
3. FEES	18,391,476	8,889,439					1,004,759	276,548	1,281,307	1,297,728	458,322	1,756,050	2,112,222	2,077,764	1,948,163
							0								
TOTAL	27,645,508	17,262,839					2,286,780	543,666	2,830,440	2,651,578	695,548	3,353,837	3,249,021	3,099,339	2,748,831

1. DEBT SERVICE SUPPORTED BY HOSPITAL ENTERPRISE FUND

DEPT	AMOUNT AUTHORIZED	AMOUNT ISSUED	PURPOSE	DATE VOTED	ART. #	DATE ISSUED	FY 98			FY 99			FY00	FY01	FY02
							Principal	Interest	Total	Principal	Interest	Total	Total	Total	Total
Hospital	420,000	420,000	Renovation	Nov '92	14	Feb '93	80,000	6,045	86,045	60,000	3,720	63,720	61,260	0	
Hospital	315,000	315,000	Renovation	Nov '92	15	Feb '93	28,250	8,774	37,024	26,250	7,757	34,007	32,931	31,802	30,634
TOTAL HOSP	735,000	735,000					86,250	14,819	101,069	86,250	11,477	97,727	94,191	31,802	30,634

2. DEBT SERVICE SUPPORTED BY TAX LEVY

DEPT	AMOUNT AUTHORIZED	AMOUNT ISSUED	PURPOSE	DATE VOTED	ART. #	DATE ISSUED	FY 98			FY 99			FY00	FY01	FY02
							Principal	Interest	Total	Principal	Interest	Total	Total	Total	Total
Memorial Park	210,000	210,000	Track	May'88	58	Jul '89	28,025	3,454	29,479	42,700	1,324	44,024	0		
DPW	135,000	135,000	Traffic Lights	May'88	27	Jul '89	15,429	478	15,907	0	0	0	0		
DPW	45,000	45,000	Roof Repairs	May'88	17	Jul '89	5,000	465	5,465	5,000	155	5,155	0		
DPW	40,000	40,000	Traffic Lights	May'88	20	Jul '89	4,571	142	4,713	0	0	0	0		
Park & Rec	45,000	45,000	Pool Repairs	May'90	37	May'90	3,215	1,485	4,700	19,280	1,272	20,552	0		
School	685,000	685,000	Asbestos Removal	May'89	29	May'90	76,111	9,637	85,748	69,900	4,613	74,513	0		
DPW	40,000	40,000	Traffic Lights	May'89	20	May'90	4,444	587	5,031	4,444	293	4,737	0		
Fire	85,000	85,000	Ambulance	May'92	38	Feb'93	17,332	329	17,667	0	0	0	0		
DPW	88,000	88,000	Building Repairs	May'92	36	Feb'93	14,968	268	15,236	17,300	2,062	19,362	8,863	8,549	9,806
Town Hall	225,000	225,000	Building Repairs	May'92	37	Feb'93	22,500	4,448	26,948	22,500	3,577	26,077	20,323	19,567	18,786
School	177,000	177,000	Oil Tank Replac	May'92	35	Feb'93	40,100	4,923	45,023	40,100	3,369	43,469	28,119	11,348	14,027
own Hall/Police	260,760	260,760	Software	May'93	20	Sep'93	52,152	2,686	54,838	52,152	913	53,065	0		
Newman	100,000	100,000	Renovation	Nov'92	13	Sep'93	10,000	2,450	12,450	10,000	2,110	12,110	11,755	11,388	11,005
own Hall/Police	339,240	339,240	Hardware	May'93	19	Sep'93	33,924	8,312	42,236	33,924	7,158	41,082	39,878	38,631	37,333
School	130,000	130,000	Hardware	May'93	21	Sep'93	13,000	3,185	16,185	13,000	2,743	15,743	15,282	14,804	14,307
Fire	425,000	425,000	Fire Truck	May'92	38	May'96	45,000	17,810	62,810	45,000	15,673	60,673	58,648	56,668	49,620
Landfill	190,000	190,000	Closure Design	May'92	30	May'96	85,000	6,012	91,012	85,000	2,925	87,925	0		
DPW	50,000	50,000	Compactor	May'94	38	May'96	85,000	5,788	90,788	60,000	2,700	62,700	0		
MIS	80,000	80,000	Traffic Lights	May'94	35	May'96	10,000	1,820	11,820	10,000	1,345	11,345	10,895	10,455	0
DPW	30,000	30,000	Building/ADA	May'94	36	May'96	10,000	925	10,925	10,000	450	10,450	0		
DPW	104,000	104,000	Equipment	May'94	66	May'96	35,000	3,013	38,013	30,000	1,350	31,350	0		
Fire	12,000	12,000	Radio Upgrade	May'95	44	May'96	5,000	238	5,238	0	0	0	0		
Landfill	50,000	50,000	Engineering	May'95	19	May'96	10,000	1,820	11,820	10,000	1,345	11,345	10,895	10,455	0
High School	250,000	250,000	Boilers	May'95	6	May'96	50,000	9,100	59,100	50,000	6,725	56,725	54,475	52,275	0
DPW	209,000	209,000	Equipment	May'95	36	May'96	40,000	7,280	47,280	40,000	5,380	45,380	43,580	41,820	0
Pollard	457,000	457,000	HVAC	May'95	46	May'96	45,000	19,013	64,013	45,000	16,875	61,875	59,850	57,870	55,823
Newman	128,000	128,000	Grounds	May'95	32	May'96	25,000	4,550	29,550	25,000	3,363	28,363	27,238	26,138	0
Hillside School	100,000	100,000	Parking	May'95	34	May'96	20,000	3,640	23,640	20,000	2,690	22,690	21,790	20,910	0
Newman	527,000	527,000	Renovation	May'95	30	May'96	55,000	22,035	77,035	55,000	19,423	74,423	71,948	69,528	62,025
storm drain	30,000	30,000	Storm Drains	May'93	26	June '97	6,000	1,356	7,356	6,000	1,056	7,056	6,756	6,510	6,258
storm drain	30,000	30,000	Storm Drains	May '94	41	June '97	6,000	1,356	7,356	6,000	1,056	7,056	6,756	6,510	6,258
Schools	10,370	10,370	Boilers	May'95	8	June '97	5,000	500	5,500	5,000	250	5,250	0		
Schools	160,536	160,000	Newman HVAC	May'95	30	June '97	12,000	2,277	14,277	11,000	6,677	17,677	17,127	16,676	16,214
Pollard	400	400	HVAC	May'95	46	June '97	400	20	420	0	0	0	0		
Schools	500,000	500,000	High School ADA	Oct '96	11	June '97	104,000	22,624	126,624	99,000	17,424	116,424	111,474	107,414	103,257
Schools	150,000	113,000	Pollard ADA	May '96	31	June '97	23,000	5,120	28,120	25,000	3,970	28,970	27,720	26,695	15,645
Fire	35,000	35,000	Command vehicle	May '96	34	June '97	7,000	1,582	8,582	7,000	1,232	8,232	7,882	7,595	7,301
Public Safety	180,000	180,000	Dispatching Equip	May '96	38	June '97	36,000	8,136	44,136	36,000	6,336	42,336	40,536	39,060	37,548
MBMB	118,000	118,000	Building Repairs	May '96	40	June '97	24,000	5,338	29,338	24,000	4,138	28,138	26,938	25,954	22,946
DPW	264,650	264,000	Equipment	May '96	41	June '97	53,600	11,965	65,565	53,000	9,285	62,285	59,635	57,462	54,236
DPW	60,000	60,000	Sidewalk Tractor	May '96	42	June '97	12,000	2,712	14,712	12,000	2,112	14,112	13,512	13,020	12,516
Park and Rec.	87,000	87,000	Pollard/Greene's Field	May '96	44	June '97	21,000	3,967	24,967	19,000	2,917	21,917	19,967	19,229	11,473
Schools	360,000	360,000	Newman HVAC	May '96	5	June '97	20,000	16,376	36,376	18,000	15,376	33,376	32,476	31,738	30,982
Schools	223,000	223,000	Modular Classrooms	Feb '97	2	June '97	23,000	10,093	33,093	23,000	8,943	31,943	30,793	29,850	28,884
Schools	15,000	15,000	Mitchell School Roof Design	Feb '97	3	June '97	6,000	699	6,699	3,000	399	3,399	3,249	3,126	0
Fire	36,000	36,000	Base Radio Station	Feb '97	4	June '97	8,000	1,632	9,632	7,000	1,232	8,232	7,882	7,595	7,301
	7,676,956	7,638,400					1,195,771	252,299	1,448,070	1,159,300	194,999	1,354,299	908,553	860,713	644,969

DEPT	AMOUNT AUTHORIZED	AMOUNT ISSUED	PURPOSE	DATE VOTED	ART. #	DATE ISSUED	FY 98			FY 99			FY00	FY01	FY02
							Principal	Interest	Total	Principal	Interest	Total	Total	Total	Total
AUTHORIZED LEVY SUPPORTED DEBT, NOT ISSUED (estimated)															
DPW	35,000		Sidewalk Ramps	May'94	37					7,000	1,750	8,750	8,400	8,050	7,700
DPW	76		Equipment	May'94	66										
Fire	13,000		Radio Upgrade	May'95	44										
DPW	25,000		Sidewalk Repair	May'95	47					5,000	1,250	6,250	6,000	5,750	5,500
DPW	25,000		Sidewalk Reconstruction	May '96	43					5,000	1,250	6,250	6,000	5,750	5,500
Finance	60,000		Computer Upgrade	May '97	37					12,000	3,000	15,000	14,400	13,800	13,200
DPW	84,000		Equipment Replacement	May '97	39					16,800	4,200	21,000	20,160	19,320	18,480
DPW	60,000		Sidewalk Tractor	Jun '97	40					12,000	3,000	15,000	14,400	13,800	13,200
MBMB	210,000		Mitchell School Roof	Jun '97	33					21,000	11,550	32,550	31,395	30,240	29,085
Health	200,000	WPAT	Community Sepsis Mgmt.	Jun '97	64					10,500	0	10,500	10,500	10,500	10,500
Selectmen	80,000		Chestnut St. Lot Design	Nov '97	16					16,000	4,000	20,000	19,200	18,400	17,600
MBMB	50,000		H. S. Roof Design	Nov '97	11					10,000	2,500	12,500	12,000	11,500	11,000
	842,076						0	0	0	108,300	30,750	139,050	134,055	129,060	124,065

TOTAL LEVY	8,519,032	7,638,400					1,195,771	252,299	1,448,070	1,267,600	225,749	1,493,349	1,042,608	989,773	769,034
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DEPT	AMOUNT AUTHORIZED	AMOUNT ISSUED	PURPOSE	DATE VOTED	ART. #	DATE ISSUED	FY 98			FY 99			FY00 Total	FY01 Total	FY02 Total	FY03 Principal
							Principal	Interest	Total	Principal	Interest	Total				
Town	1,383,000	1,383,000	Land Acquisition	May/88	56-58	Jun/88	150,000	9,900	159,900	0	0	0				
Police	1,287,000	1,287,000	Renovation	May/88	51	Jun/88	208,000	13,728	221,728	0	0	0				
Schools	5,850,000	5,850,000	H.S. Renovation	May/87	14	Jun/88	642,000	42,372	684,372	0	0	0				
andfill	1,500,000	1,500,000	Transfer Station	Jan/88	1	Jun/89	0	0	0	0	0	0				
Fire	1,252,000	1,252,000	Renovation #2	May/89	58	May/90	134,111	16,514	150,625	118,108	7,863	123,771				
Fire	98,000	98,000	Renovation #2	May/89	59	Oct/ 91	10,889	2,085	12,974	10,889	1,503	12,392	11,798	11,193	0	
Police	2,483,000	2,483,000	Renovation	May/88	51	May/89	269,055	32,975	302,030	230,560	15,217	245,777	0			
Schools	6,444,000	6,444,000	Pollard	May/92	29	Feb/93	640,350	163,898	804,248	670,350	138,485	808,835	809,742	814,878	817,344	474,265
Schools	395,000	395,000	Pollard	May/92	29	May/94	0	0	0							
	450,000	450,000	Newman	Nov. 96	10	Feb/ 97	0	90	90							
Schools	3,800,000	3,800,000	Newman	Nov. 96	10	June 97	305,000	172,410	477,410	320,000	157,160	477,160	478,160	477,425	477,725	482,030
Schools	1,500,000	1,500,000	Newman	Nov. 97	11	---	0	0	0	500,000	75,000	575,000	550,000	525,000		
andfill	5,900,000	5,900,000	Closure	May 87	54	---	0	0	0	0	0	0				0
	32,322,000	24,922,000					2,359,405	453,972	2,813,377	1,847,907	385,028	2,242,935	1,847,700	1,828,495	1,285,069	956,295
			H.S. Reimbursement				514,249		514,249			514,249	514,249	514,249	514,249	514,249
			Pollard Reimbursement				508,520		508,520			508,520	508,520	508,520	508,520	508,520
							1,790,608		824,931			1,220,168	805,728	272,300	(86,474)	

TRANSFERS FROM FINANCE COMMITTEE RESERVE FUND TO APPROPRIATION ACCOUNTS

July 1, 1996 - June 30, 1997

(Transfers have been summarized below by category. These amounts are included in the EXPENDED FY 1997 column of the Operating Budget section)

<u>REQUESTS</u>	<u>AMOUNT</u>
DPW - Drains	\$18,650
Council on Aging	24,046
Legal Department	45,000
Capital	
School/Town Data Network	62,000
Fire Alarm Cable Run	28,000
DPW - Garage	8,500
Building Department	2,500
Board of Health	1,500
Police	31,500
Memorial Park	600
Permanent Public Building Committee	4,500
Municipal Building Maintenance Board	<u>85,000</u>
Total	\$459,269

GENERAL GOVERNMENT SALARY AND STAFFING SCHEDULE
Of Funded Full-Time Equivalent Positions
(Excludes Summer/Seasonal Positions)

<u>TITLE</u>	<u>GRADE</u>	<u>FUNDED FY96</u>	<u>FUNDED FY 97</u>	<u>FUNDED FY 98</u>	<u>ANNUALIZED SALARY RANGE</u>
<u>GENERAL GOVERNMENT</u>					
<u>Board of Selectmen</u>					
Town Administrator	NA	1.00	1.00	1.00	\$83,720
Administrative Coordinator	SS-5	1.00	1.00	1.00	\$29,006 - \$36,980
Department Assistant 1	TS-1	1.13	1.13	1.13	\$18,785 - \$24,741
Department Assistant 3	T-8	0.34	0.34	0.34	\$21,913 - \$28,888
Personnel Director	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Administrative Assistant	SS-3	1.00	1.00	1.00	\$23,943 - \$31,423
Administrative Specialist	SS-4	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$27,602 - \$35,182
Subtotal:		<u>6.47</u>	<u>6.47</u>	<u>6.47</u>	
<u>Town Clerk</u>					
Town Clerk	Elected	1.00	1.00	1.00	\$55,741
Assistant Town Clerk	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Department Assistant 2	TS-2	2.00	2.00	2.00	\$20,583 - \$26,991
Department Assistant 1	SS-1	<u>0.24</u>	<u>0.24</u>	<u>0.24</u>	\$18,785 - \$24,741
Subtotal:		<u>4.24</u>	<u>4.24</u>	<u>4.24</u>	
<u>Legal</u>					
Town Counsel	Sch C				\$50,614
<u>Personnel Board</u>					
Recording Secretary	Sch C				\$13.07/hr.
<u>FINANCE</u>					
<u>Assessors</u>					
Administrative Assessor	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Asst. Administrative Assessor	T-14	1.00	1.00	1.00	\$32,236 - \$42,779
Administrative Coordinator	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Department Specialist	TS-3	2.00	2.00	2.00	\$23,943 - \$31,423
Department Assistant 2	TS-2	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$20,583 - \$26,991
Subtotal:		<u>6.00</u>	<u>6.00</u>	<u>6.00</u>	
<u>Finance Department</u>					
Finance Director	M-4	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$60,493 - 72,196
Accounting Clerk	Sch C				\$4,000
Subtotal		<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	
<u>Accounting</u>					
Town Comptroller	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Administrative Specialist	TS-4	2.00	2.00	2.00	\$25,753 - \$33,816
Department Specialist	TS-3	<u>0.80</u>	<u>0.80</u>	<u>0.80</u>	\$23,943 - \$31,423
Subtotal		<u>3.80</u>	<u>3.80</u>	<u>3.80</u>	

<u>TITLE</u>	<u>GRADE</u>	<u>FUNDED FY96</u>	<u>FUNDED FY97</u>	<u>FUNDED FY98</u>	<u>ANNUALIZED SALARY RANGE</u>
<u>Data Processing</u>					
Director	M-3	1.00	1.00	1.00	\$52,867 - \$63,095
Senior Systems Analyst	T-16	1.00	1.00	1.00	\$37,599 - \$49,893
Systems Analyst	T-13	1.00	1.00	1.00	\$29,848 - \$39,608
Programmer/Computer Operator	T-11	1.00	1.00	1.00	\$26,144 - \$34,509
Computer Operator	T-10	1.00	1.00	1.00	\$24,881 - \$32,831
Department Specialist	TS-3	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$23,943 - \$31,423
Subtotal		6.00	6.00	6.00	
<u>Treasurer</u>					
Treasurer/Collector	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Assistant Treasurer/Collector	S-15	0.00	0.00	1.00	\$34,646 - \$45,974
Administrative Coordinator	TS-4	1.00	1.00	0.00	\$25,753 - \$33,816
Department Specialist	TS-3	2.00	2.00	2.00	\$23,943 - \$31,423
Department Specialist	SS-3	0.30	0.30	0.30	\$23,943 - \$31,423
Department Assistant 2	TS-2	1.00	1.00	1.00	\$20,583 - \$26,991
Department Assistant 1	SS-1	<u>0.47</u>	<u>0.47</u>	<u>0.47</u>	\$18,785 - \$24,741
Sub Total:		5.77	5.77	5.77	
<u>Finance Committee</u>					
Finance Comm. Exec. Secretary	Sch C				\$13,955
<u>Retirement</u>					
Senior Administrative Coordinator	TS-5	1.00	1.00	1.00	\$27,064 - \$35,544
Department Specialist	TS-3	<u>0.53</u>	<u>1.00</u>	<u>1.00</u>	\$23,943 - \$31,423
Subtotal:		1.53	2.00	2.00	
<u>PUBLIC SAFETY</u>					
<u>Police Department</u>					
Chief	M-5	1.00	1.00	1.00	\$68,638 - \$81,915
Lieutenant	P-3	3.00	3.00	3.00	\$46,378 - \$58,893
Sergeant	P-2	8.00	8.00	8.00	\$39,275 - \$45,638
Police Officer	P-1	35.00	35.00	35.00	\$30,944 - \$37,306
COPS FAST Officer	P-1	1.00	1.00	1.00	\$30,944 - \$37,306
Animal Control Officer	PB-1	1.00	1.00	1.00	\$27,913 - \$37,039
Administrative Specialist	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Maintenance Worker/Custodian	S-10	1.00	1.00	1.00	\$24,755 - \$32,665
Department Assistant 2	TS-2	1.00	2.00	2.00	\$20,583 - \$26,991
Traffic Supervisor	Sch C	2.59	2.59	2.59	\$13.92/hour
Public Safety Dispatcher	S-10	0.00	4.00	5.00	\$24,755 - \$32,665
Parking Enforcement Attendant	S-6	<u>0.93</u>	<u>0.93</u>	<u>0.93</u>	\$18,690 - \$24,617
Subtotal:		56.52	60.52	61.52	
<u>Fire Department</u>					
Fire Chief	M-5	1.00	1.00	1.00	\$68,638 - \$81,915
Deputy Fire Chief Operations	F-4	1.00	1.00	1.00	\$50,803 - \$60,436
Deputy Fire Chief	F-4	4.00	4.00	4.00	\$44,846 - \$53,347
Fire Captain	F-3	2.00	2.00	2.00	\$41,807 - \$46,631
Fire Lieutenant	F-2	6.00	6.00	6.00	\$36,066 - \$42,901
Firefighter	F-1	54.00	53.00	53.00	\$31,360 - \$37,306
Asst., Super., Fire Alarm	FA-2	1.00	1.00	1.00	\$36,765 - \$44,223

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

<u>TITLE</u>	<u>GRADE</u>	<u>FUNDED FY96</u>	<u>FUNDED FY97</u>	<u>FUNDED FY98</u>	<u>ANNUALIZED SALARY RANGE</u>
Fireman	FA-1	0.00	0.00	0.00	\$31,883 - \$38,236
Management Analyst	T-15	1.00	1.00	1.00	\$34,821 - \$46,207
Department Specialist	TS-3	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$23,943 - \$31,423
Subtotal:		71.00	70.00	70.00	
 <u>Building</u>					
Inspector of Buildings	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Plumbing & Gas Inspector	S-14	0.53	0.53	0.53	\$32,074 - \$42,564
Fire Inspector	S-14	0.53	0.53	0.53	\$32,074 - \$42,564
Local Building Inspec	S-14	1.00	0.75	1.00	\$32,074 - \$42,564
Dealer of Weights and Measures	S-14	0.00	0.25	0.25	\$32,074 - \$42,564
Administrative Specialist	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Department Assistant 2	TS-2	1.00	1.00	1.00	\$20,583 - \$26,991
Code Enforcement Officer	Sch C	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	\$15.05/hour
Building Inspector Substitute	Sch C				\$41.00 (per diem)
Plumbing & Gas Inspector Sub.	Sch C				\$41.00 (per diem)
Fire Inspector Substitute	Sch C				\$12.00 (per inspection)
Subtotal:		5.06	5.06	5.31	

PUBLIC FACILITIES

<u>Department of Public Works</u>					
Director	M-5	1.00	1.00	1.00	\$68,638 - \$81,915
Town Engineer	M-3	1.00	1.00	1.00	\$52,867 - \$63,095
Division Super. Highway	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Division Super. Parks	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Division Super. Water & Sewer	M-3	1.00	1.00	1.00	\$52,867 - \$63,095
Garage & Equipment Supervisor	M-1	1.00	1.00	1.00	\$41,596 - \$49,642
Program Manager/Landfill	M-3	0.00	1.00	1.00	\$52,867 - \$63,095
Senior Engineer	S-15	1.00	1.00	1.00	\$34,646 - \$45,974
Dir. of Administrative Services	S-15	0.00	0.00	1.00	\$34,646 - \$45,974
Assistant Superintendent	S-14	4.00	4.00	4.00	\$32,074 - \$42,564
Senior Draftsman	S-12	2.00	2.00	2.00	\$27,510 - \$36,506
Survey Party Chief	S-13	2.00	2.00	2.00	\$29,697 - \$39,408
Senior Administrative Coordinator	TS-5	1.00	1.00	1.00	\$27,064 - \$35,544
Department Specialist	TS-3	2.00	2.00	2.00	\$23,943 - \$31,423
Department Assistant 2	TS-2	1.00	1.00	1.00	\$20,583 - \$26,991
Master Mechanic	W-9	1.00	1.00	1.00	\$14.69 - \$17.03/hour
Working Foreman	W-8	9.00	9.00	9.00	\$14.26 - \$15.93/hour
Equipment Mechanic 1	W-6	1.00	1.00	1.00	\$13.27 - \$15.34/hour
Equipment Mechanic 2	W-7	2.00	2.00	2.00	\$13.83 - \$15.93/hour
Public Works Inspector	W-7	2.00	1.00	1.00	\$13.83 - \$15.93/hour
MEO 1	W-5	10.00	9.00	12.00	\$12.77 - \$14.81/hour
MEO 2	W-6	1.00	1.00	1.00	\$13.27 - \$15.34/hour
Raftworker 1	W-5	11.00	11.50	12.50	\$12.77 - \$14.81/hour
Raftworker 2	W-6	5.00	6.00	5.00	\$13.27 - \$15.34/hour
Tree Climber	W-6	2.00	2.00	2.00	\$13.27 - \$15.34/hour
Chief Pumping Station Operator	W-7	3.00	3.00	3.00	\$13.83 - \$15.93/hour

<u>TITLE</u>	<u>GRADE</u>	<u>FUNDED FY96</u>	<u>FUNDED FY97</u>	<u>FUNDED FY98</u>	<u>ANNUALIZED SALARY RANGE</u>
Pumping Station Operator	W-6	1.00	1.00	1.00	\$13.27 - \$15.34/hour
Public Works Specialist	W-6	1.00	1.00	1.00	\$13.27 - \$15.34/hour
Weighmaster	W-4	0.00	1.00	0.50	\$12.29 - \$14.26/hour
Laborer 1	W-1	5.00	7.00	5.00	\$11.08 - 12.77/hour
Laborer 2	W-3	4.00	3.00	4.00	\$11.85 - \$13.83/hour
Laborer 3	W-4	<u>2.00</u>	<u>2.00</u>	<u>2.00</u>	\$12.29 - \$14.26/hour
Subtotal:		79.00	81.50	84.00	
<u>Municipal Building Maintenance Board</u>					
Director	M-4	1.00	1.00	1.00	\$60,493 - \$72,196
Supervisor of Custodial Services	S-15	0.00	0.00	1.00	\$34,646 - \$45,974
Administrative Specialist	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Department Specialist	TS-3	0.53	0.53	0.53	\$23,943 - \$31,423
Senior Building Custodian	T-10	2.22	2.22	2.22	\$24,881 - \$32,831
Building Custodian	T-7	1.00	1.00	1.00	\$19,885 - \$26,205
Jr. Building Custodian	T-5	1.73	0.73	0.73	\$17,745 - \$23,367
Working Foreman	W-8	1.00	1.00	0.50	\$13.91/hr. - \$16.13/hr.
Senior Custodian	AC-2	11.00	11.00	11.00	\$25,193 - \$29,529
Junior Custodian	AC-1	23.00	23.75	24.00	\$23,655 - \$27,233
Warehouse Person	AC-5	1.00	1.00	1.00	\$30,588 - \$37,646
General Maintenance	AC-3	4.00	3.00	3.00	\$25,193 - \$29,674
HVAC Technician	AC-6	1.00	1.00	1.00	\$35,114 - \$45,154
Carpenter	AC-6	1.00	1.00	1.00	\$35,114 - \$45,154
Craftsman	AC-5	1.00	1.00	1.00	\$30,588 - \$37,646
Plumber	AC-6	0.00	1.00	1.00	\$35,114 - \$45,154
Electrician	AC-6	1.00	1.00	1.00	\$35,114 - \$45,154
Building Monitor	Sch C	<u>0.00</u>	<u>0.40</u>	<u>0.40</u>	8.00/hour
Subtotal:		51.48	51.63	51.88	
<u>HUMAN SERVICES</u>					
<u>Board of Health</u>					
Director	M-2	0.80	1.00	1.00	\$47,673 - \$56,895
Environmental Health Agent	T-15	1.00	1.00	1.00	\$34,821 - \$46,207
Nutritionist	T-14	0.75	0.60	0.60	\$32,236 - \$42,779
Public Health Nurse	T-15	1.25	1.17	1.17	\$34,821 - \$46,207
Administrative Specialist	TS-4	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$25,753 - \$33,816
Animal Inspector	Sch C				\$1500
Subtotal:		4.80	4.77	4.77	
<u>Veterans Services</u>					
Director	M-1	0.53	0.53	0.53	\$41,596 - \$49,642
Department Specialist	TS-3	<u>0.53</u>	<u>0.53</u>	<u>0.53</u>	\$23,943 - \$31,423
Subtotal:		1.06	1.06	1.06	
<u>Youth Commission</u>					
Director	M-1	1.00	1.00	1.00	\$41,596 - \$49,642
Social Worker	T-12	0.61	0.80	0.80	\$27,650 - \$36,691
Senior Social Worker	T-13	1.00	1.00	1.00	\$29,848 - \$39,608
Administrative Assistant	SS-3	<u>0.40</u>	<u>0.40</u>	0.40	\$23,943 - \$31,423
Subtotal:		3.01	3.20	3.20	

ANNUAL TOWN MEETING WARRANT

TOWN OF NEEDHAM, MASSACHUSETTS

<u>TITLE</u>	<u>GRADE</u>	<u>FUNDED FY96</u>	<u>FUNDED FY97</u>	<u>FUNDED FY98</u>	<u>ANNUALIZED SALARY RANGE</u>
<u>Council on Aging</u>					
Executive Director	M-1	1.00	1.00	1.00	\$41,596 - \$49,642
Associate Director	T-13	1.00	1.00	1.00	\$29,848 - \$39,608
Outreach Worker	T-12	1.00	1.00	1.00	\$27,650 - \$36,691
Department Assistant 2	TS-2	1.28	1.20	1.20	\$20,583 - \$26,991
Program Coordinator	Sch C	0.19	0.20	0.20	\$13.56/hour
Assistant	Sch C	0.07	0.07	0.07	\$10.54/hour
Assistant Program Coordinator	Sch C	0.00	1.17	1.17	\$11.90
Recording Secretary	Sch C	<u>0.04</u>	<u>0.04</u>	<u>0.04</u>	\$13.07/hour
Subtotal:		4.58	5.68	5.68	
<u>DEVELOPMENT</u>					
<u>Planning Board</u>					
Director	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Administrative Assistant	TS-3	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	\$23,943 - \$31,423
Subtotal:		2.00	2.00	2.00	
<u>Conservation Commission</u>					
Conservation Officer	Sch C	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>	\$15.05/hr.
Subtotal:		0.50	0.50	0.50	
<u>Board of Appeals</u>					
Committee Secretary	SS-3				\$23,943 - \$31,423
<u>CULTURE AND LEISURE SERVICES</u>					
<u>Library</u>					
Director	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Assistant Director	S-15	1.00	1.00	1.00	\$34,646 - \$45,974
Reference Supervisor	S-14	1.00	1.00	1.00	\$32,074 - \$42,564
Childrens Librarian	S-13	1.00	1.00	1.59	\$29,697 - \$39,408
Cataloger	S-13	1.00	1.00	1.00	\$29,697 - \$39,408
Reference Librarian	S-12	2.37	2.37	2.11	\$27,510 - \$36,506
Circulation Supervisor	SS-5	1.00	1.00	1.00	\$29,006 - \$36,980
Assistant Children's Librarian	SS-4	1.00	1.00	1.00	\$27,602 - \$35,182
Assistant Cataloger	SS-3	1.00	1.00	1.00	\$23,943 - \$31,423
Department Specialist	SS-3	1.00	1.00	1.00	\$23,943 - \$31,423
Library Assistant 2	SS-2	2.00	2.00	2.00	\$22,049 - \$28,082
Library Assistant 2 P/T	S-7	4.22	4.22	4.29	\$19,785 - \$26,073
Library Page	Sch C	<u>2.61</u>	<u>2.61</u>	2.21	\$5.69 - \$6.04/hour
Subtotal:		20.20	20.20	20.20	
<u>Park & Recreation</u>					
Director	M-2	1.00	1.00	1.00	\$47,673 - \$56,895
Assistant Director	T-13	1.00	1.00	1.00	\$29,848 - \$39,608
Administrative Specialist	TS-4	1.00	1.00	1.00	\$25,753 - \$33,816
Department Assistant 2	TS-2	<u>0.53</u>	<u>1.00</u>	<u>1.00</u>	\$20,583 - \$26,991
Subtotal:		3.53	4.00	4.00	
GRAND TOTAL:		337.05	345.90	349.40	

NEEDHAM PUBLIC SCHOOLS SALARY AND STAFFING SCHEDULE

<u>CLASSIFICATION</u>	<u>EMPLOYEES</u>	<u>NUMBER OF EQUIVALENCY</u>	<u>SALARY MINIMUM</u>	<u>MAXIMUM</u>
Superintendent	1	1		\$98,638 yr.
Asst. Supt, Personnel & Curric.	1	1		\$83,565 yr.
Asst. Supt, Student Dev/Comm	1	1		\$77,000 yr.
Director of Financial Operations	1	1		\$61,000 yr.
High School Principal	1	1		\$83,309 yr.
Middle School Principal	1	1		\$75,000 yr.
Elementary Principal	5	5	\$68,675 yr.	\$73,226 yr.
High School Asst. Principal	1	1	\$58,340 yr.	\$75,300 yr.
M.S. House Administrator	2	2	\$54,240 yr.	\$71,200 yr.
Elementary Asst. Principal	1	1	\$45,169 yr.	\$63,791 yr.
Director	6	5.3	\$49,487 yr.	\$70,098 yr.
Dir. of Special Education	2	2	\$50,634 yr.	\$71,245 yr.
Department Chairs	5	2.8	\$47,915 yr.	\$67,938 yr.
Teacher	343	311.7	\$28,983 yr.	\$60,531 yr.
Nurse	9	9	\$19,888 yr.	\$34,609 yr.
Special Ed. Aides	75	67.8	\$11.54 hr.	\$19.10 hr.
Instructional Aides	13	12.5	11.54 hr.	\$21.95 hr.
Permanent Substitute	3	3		\$72.47/dy
Transportation Coordinator	1	1	\$17.37 hr.	\$21.33 hr.
Media Technician	1	1		\$39,063 yr.
School Aide	14	9.3	\$7.20 hr.	\$9.29 hr.
Mail Carrier	1	.5		\$9.41 hr.
Secretary	37	34.3	\$10.69 hr.	\$18.95 hr.
Notetaker	0	0		\$16.27 hr.
Grants Coordinator	1	0.5		\$15,000 yr.
Accounting Clerk/Supervisor	2	2	\$12.74 hr.	\$17.65 hr.
Payroll Clerk/Supervisor	2	2	\$12.74 hr.	\$17.65 hr.
Administrative Assistant	2	2	\$17.37 hr.	\$25.42 hr.
Bus Driver	1	1		\$12.29 hr.
Academic Advisors	44		\$ 769.00 yr.	\$ 3,675 yr.
Coaches/Asst. Coaches	61		\$ 1,213.00 yr.	\$ 6,253 yr.

Needham Board of Selectmen
1471 Highland Avenue
Needham, MA 02192

BULK RATE
US Postal Permit
Boston, MA
Permit No. 58224

NEEDHAM RESIDENT

SPECIAL TOWN MEETING

WARRANT



TOWN OF NEEDHAM

WEDNESDAY, MAY 6, 1998

7:30 P. M.

POLLARD MIDDLE SCHOOL

HARRIS AVENUE

NEEDHAM

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Needham qualified to vote in elections and in Town affairs to meet at the Pollard Middle School in said Town on

WEDNESDAY, THE SIXTH OF MAY 1998

at seven-thirty o'clock in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT - AFSCME
(CUSTODIANS & MAINTENANCE WORKERS)**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and AFSCME Council 93, Local 335, and to recommend amending the necessary line items in the 1998 Operating Budget under Article 2 to fund same; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

**ARTICLE 2: APPROPRIATE FOR EMERGENCY MANAGEMENT RADIO
EQUIPMENT**

To see if the Town will vote to raise and appropriate the sum of \$31,000 for replacement of the Emergency Management Radio Equipment, to be spent under the direction of the Board of Selectmen, and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article Not be Adopted at Special Town Meeting

ARTICLE 3: AMEND THE FISCAL YEAR 1998 BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 5, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
102	Selectmen, Purchase of Service	\$ 117,958	\$116,485
103	Selectmen, Expenses	16,800	18,300
208	Finance, Capital Outlay	21,900	26,650

211	Finance Comm., Reserve Fund	566,807	528,107
501	DPW, Salaries	2,321,792	2,344,792
503	DPW, Expenses	381,280	379,030
507	Building Maint., Salaries	1,665,512	1,701,712
508	Building Maint., Purchase of Service	1,191,477	1,181,477
509	Building Maint., Expenses	267,337	277,337
609	Youth Comm., Purchase of Service	2,140	2,400
610	Youth Comm., Expenses	2,650	2,390

and that the following item be partially funded in the following amount by a transfer from:

	Landfill Reserve Account	
501	DPW Salaries	23,000

or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

ARTICLE 4: AMEND THE FISCAL YEAR 1998 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 6, by deleting the amounts of money appropriated under some line items and appropriating or transferring from available funds new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
908	Salaries	\$544,560	570,560
910	Expenses	201,255	175,255

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

ARTICLE 5: AMEND THE FISCAL YEAR 1998 WASTEWATER ENTERPRISE FUND BUDGET (SEWER)

To see if the Town will vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 7, by deleting the amounts of money appropriated under some line items and appropriating or transferring new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
901	Salaries	\$425,196	405,196

or take any other action relative thereto.

INSERTED BY: Board of Selectmen/Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

ARTICLE: 6 APPROPRIATE FOR LANDFILL CLOSURE

To see if the Town will vote to raise and appropriate the sum of \$1,800,000 for the closure and capping of the sanitary landfill, said sum to be spent under the direction of the Board of Selectmen, and raised from the Landfill Reserve Account; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

ARTICLE 7: APPROPRIATE FOR STORM DRAIN SYSTEM ENGINEERING

To see if the Town will vote to raise and appropriate the sum of \$628,000 for plans and specifications in connection with improvements to the storm drain system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$628,000 for a period of up to five years under MGL Chapter 44, Section 7, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust or otherwise; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be made at Town Meeting

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least fourteen (14) days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this fourteenth day of April 1998.

John H. Cogswell, Chairman
William M. Powers, Vice Chairman
Paul Theodore Owens
John D. Marr, Jr.
Daniel P. Matthews

Selectmen of Needham

A TRUE COPY

Attest:

Constable:

**Town Clerk's Office
Needham, MA 02192**

**First Class Mail
U.S. Postage Paid
Needham, MA
Permit No. 58224**

ATTN: SPECIAL TOWN MEETING WARRANT

TOWN OF NEEDHAM



FISCAL YEAR 1998

TOWN CLERK'S RECORDS

OF THE

SPECIAL TOWN MEETING

Monday, November 17, 1997

ANNUAL TOWN ELECTION

Monday, April 13, 1998

ANNUAL TOWN MEETING

Monday, May 4, 1998

SPECIAL TOWN MEETING

Wednesday, May 6, 1998

SPECIAL TOWN MEETING

November 17, 1997

Pursuant to a Warrant issued by the Selectmen October 8, 1997, the Inhabitants of the Town of Needham qualified to vote. A Town Affairs met in the Derwood A. Newman Elementary School on Monday, November 17, 1997, at 7:30 o'clock in the afternoon.

The checkers appointed by the Selectmen were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 219 voters, including 200 Town Meeting Members, were checked on the list as being present.

The Moderator announced that the presentation for this evening would be led by first grade teacher Marjorie Margolis, co-teacher Pamela Hanson, and the Hillside first graders who provided group review in Spanish of their trip to the Eastman Conservation Area. Town Meeting Members joined the first graders in singing "My Country 'Tis of Thee" and pledging allegiance to the flag. The Moderator thanked Marc Oddo and Jordan Pransky for handling the microphones this evening.

The meeting was called to order at 7:30 o'clock by the Moderator, Michael K. Fee. The call to the meeting and the officer's return were read by the Town Clerk, the reading of the articles in the Warrant being waived upon motion.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The Moderator announced the following ground rules and these were adopted unanimously:

1. A speaker will be ruled out of order who refers to personalities. Let us remember that we are one Town Meeting Family with a common goal: the best interest of the community.
2. Rise to be recognized and address the chair; speak your name so that the Town Clerk can complete her records.
3. Disclosure required by one employed as an attorney by another who is interested in a matter; General By-Laws, Art. I, section 5.
4. If lengthy or complicated motions are not drafted and reviewed by the Moderator prior to being placed on the floor, then the speaker will yield the floor to another speaker while the drafting and formulation process is occurring.
5. Short motions to amend and procedural motions need not be in writing.
6. Parliamentary procedures known as "points of information" and "points of order" shall be strictly construed so as not to elong or permit debate after a motion to move the previous question has been voted in the affirmative.
7. Limits of debate shall be enforced.
8. Questions asked for general information purposes unnecessary for the consideration of the matter on the floor shall be ruled out of order.

9. If a speaker either makes any reference whatsoever to the existence or presence of cameras within the hall or within the sole discretion of the Moderator it is believed that the remarks of the speaker are in any way affected by the existence of the cameras, then in either event the speaker will be ruled out of order and requested to immediately be seated.

10. After a motion to put the previous question has been voted, a member may rise to a point of information only to inquire (1) what the motion or motions are that are to be put pursuant to said vote, or (2) to ask as to the order in which motions are to be so put if there are more than one motion to be voted upon, and for no other purpose.

Unanimous consent was given to adopt the following limits of debate:

25 Minutes - Committee Chairmen, proponents, attorneys representing proponents; subject to extension at the discretion of the Moderator in cases of a building committee report or the like.

10 Minutes - Town Meeting members, non-town meeting members, visitors other than attorneys.

As in the tradition of the Annual Town Meeting, the Moderator asked unanimous consent to omit the reading of the articles and to refer to them by number only. Any Town Meeting Member who wished to "question" or "debate" should so indicate when the number was called and those articles not so indicated would be adopted by unanimous consent. There was no objection and the Moderator declared this method to be adopted unanimously.

The Moderator then proceeded to call each article in the Warrant by number commencing with Article No. 1. No Town Meeting Member responded with "question" or "debate" to the following articles: 1, 2, 3, 4, 6, 7, and 19.

The Moderator then called each of the above-mentioned articles by number and no objection was heard to adoption by unanimous consent. The Moderator stated that the Town Counsel had filed copies of an affirmative motion for each article with the Town Clerk on November 10, 1997, and that the motions had been available for public scrutiny since that date. It was moved that all affirmative motions for the above-mentioned articles be adopted by unanimous consent. It was so unanimously voted and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT - POLICE UNITS A & B

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Union, Units A & B, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Article 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same; or take any other action relative thereto.

MOVED: That the Town vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Union, Units A & B, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Article 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same.

ACTION: So voted by unanimous vote.

ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT - POLICE SUPERIOR OFFICERS

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Article 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same; or take any other action relative thereto.

MOVED: That the Town vote to approve the funding of a collective bargaining agreement between the Town and the Needham Police Superior Officers, and to recommend amending the necessary line items in the 1998 Operating Budget originally approved under Article 20 of the 1997 Annual Town Meeting and proposed to be amended under Article 5 of this Special Town Meeting to fund same.

ACTION: So voted by unanimous vote.

ARTICLE 3: ACCEPT MGL CHAPTER 41 SECTION 108L

To see if the Town will vote to accept the provisions of Chapter 41 Section 108L of the Massachusetts General Laws, police career incentive pay program, to be effective on July 1, 1998; or take any other action relative thereto.

Summary: M.G.L. Ch.41, Sec. 108L, if accepted by the town, provides for a career incentive pay program offering base salary increases to regular full time members of the police department for furthering their education in the field of police work, as follows:

Police officers commencing the program after September 1, 1976 shall receive increases in their base salary as follows: 10% for an associates degree in law enforcement, 20% for a bachelors degree in law enforcement and 25% for a masters degree in law enforcement or a law degree. The percentages are not cumulative. The Commonwealth of Massachusetts shall reimburse the town for one half the cost of such payments upon certification by the Board of Higher Education based on information filed by the town on or before September first of each year.

MOVED: That the Town vote to accept the provisions of Chapter 41 Section 108L of the Massachusetts General Laws, police career incentive pay program, to be effective on July 1, 1998.

ACTION: So voted by unanimous vote.

ARTICLE 4: AMEND CLASSIFICATION AND STANDARD RATES OF COMPENSATION SCHEDULE

To see if the Town will vote to amend the Classification and Standard Rates of Compensation Schedule, effective July 1, 1997, as adopted under Article 13 of the 1997 Annual Town Meeting by:

1. inserting the title "Building Construction and Renovation Manager" at the grade "M-3";
2. deleting the title "Control Clerk T-9"; and
3. deleting the grade TS3 after the title "Committee Secretary" and inserting in place thereof the grade "SS3";

or take any other action relative thereto.

MOVED: That the Town vote to amend the Classification and Standard Rates of Compensation Schedule, effective July 1, 1997, as adopted under Article 13 of the 1997 Annual Town Meeting by: inserting the title "Building Construction and Renovation Manager" at the grade "M-3"; deleting the title "Control Clerk T-9"; and deleting the grade TS3 after the title "Committee Secretary" and inserting in place thereof the grade "SS3".

ACTION: So voted by unanimous vote.

ARTICLE 6: AMEND WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting, by deleting the amounts of money appropriated under some line items and appropriating new amounts; under the provisions of M.G.L. Ch. 44, Sec. 53 F 1/2;

Line Item	Appropriation	Changing From	Changing To
912	MWRA Assessment	\$ 249,839	\$154,22
914	Debt Service	484,120	478,01

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting, by deleting the amounts of money appropriated under some line items and appropriating new amounts; under the provisions of M.G.L. Ch. 44, Sec. 53 F 1/2;

Line Item	Appropriation	Changing From	Changing To
912	MWRA Assessment	\$ 249,839	\$154,22
914	Debt Service	484,120	478,01

ACTION: So voted by unanimous vote.

ARTICLE 7: AMEND THE WASTEWATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting; by deleting the amounts of money appropriated under some line items and appropriating new amounts; \$115,675 to be raised from the Wastewater Enterprise Fund Retained Earnings; under the provisions of M.G.L. Ch. 44, Sec. 53F 1/2;

Line Item	Appropriation	Changing From	Changing To
905	MWRA Assessment	\$3,660,488	\$3,961,491
907	Debt Service	734,082	624,540

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting; by deleting the amounts of money appropriated under some line items and appropriating new amounts; \$115,675 to be raised from the Wastewater Enterprise Fund Retained Earnings; under the provisions M.G.L. Ch. 44, Sec. 53F 1/2;

Line Item	Appropriation	Changing From	Changing To
5	MWRA Assessment	\$3,660,488	\$3,961,491
7	Debt Service	734,082	624,540

ACTION: So voted by unanimous vote.

ARTICLE 19: GRANTING OF EASEMENT - DUNCAN DRIVE

To see if the Town will vote to authorize the Board of Selectmen to grant sewer and drain easements to John E. Casey and Elaine J. Casey across town owned land abutting Old Greendale Avenue, in exchange for a grant of land from John E. Casey and Elaine J. Casey to the Town to enhance the town's access from Old Greendale Avenue to the town's land; or take any other action relative thereto.

MOVED: That the Town vote to authorize the Board of Selectmen to grant sewer and drain easements to John E. Casey and Elaine J. Casey across town owned land abutting Old Greendale Avenue, in exchange for a grant of land from John E. Casey and Elaine J. Casey to the Town to enhance the town's access from Old Greendale Avenue to the town's land.

ACTION: So voted by unanimous vote.

ARTICLE 5: AMEND THE FISCAL YEAR 1998 BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts;

Line Item	Appropriation	Changing From	Changing To
1	Minuteman Vocational Assessment	500,000	539,693
5	Town Clerk, Salaries	143,744	139,244
7	Town Clerk, Expenses	3,825	5,325
11	Legal, Special Fees	130,000	160,000
208	Finance, Capital Outlay	18,900	21,900
211	Finance Committee, Reserve Fund	608,200	434,807
301	School Department, Salaries	20,713,916	20,693,168
401	Police Department, Salaries	3,042,442	3,126,142
502	Public Works, Purchase of Service	1,374,731	1,574,731
503	Public Works, Expenses	351,280	381,280
507	Bldg Maintenance, Salaries	1,644,764	1,665,512

508	Bldg Maintenance, Purchase of Service	1,171,477	1,191,477
511	PPBC, Salaries	5,330	35,330

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts;

Line Item	Appropriation	Changing From	Changing To
021	Minuteman Vocational Assessment	500,000	539,693
105	Town Clerk, Salaries	143,744	139,244
107	Town Clerk, Expenses	3,825	5,325
111	Legal, Special Fees	130,000	160,000
208	Finance, Capital Outlay	18,900	21,900
211	Finance Committee, Reserve Fund	608,200	434,807
301	School Department, Salaries	20,713,916	20,693,168
401	Police Department, Salaries	3,042,442	3,126,142
502	Public Works, Purchase of Service	1,374,731	1,574,731
503	Public Works, Expenses	351,280	381,280
507	Building Maintenance, Salaries	1,644,764	1,665,512
508	Building Maintenance, Purchase of Service	1,171,477	1,191,477
511	Permanent Public Building Committee, Salaries	5,330	35,330

The following motion to amend was offered by Mr. Ford H. Peckham:

Line Item	Appropriation	Changing From	Changing To	Net Change
017	Maturing Bonds	1,447,079	1,425,079	(22,000)
018	Interest	419,693	384,693	(35,000)
021	Minuteman Vocational Assessment	500,000	539,693	39,693
105	Town Clerk, Salaries	143,744	139,244	(4,500)
107	Town Clerk, Expenses	3,825	5,325	1,500
111	Legal, Special Fees	130,000	160,000	30,000
208	Finance, Capital Outlay	18,900	21,900	3,000
211	Finance Committee, Reserve Fund	608,200	566,807	(41,393)
301	School Department, Salaries	20,713,916	20,693,168	(20,748)
401	Police Department, Salaries	3,042,442	3,126,142	83,700
502	Public Works, Purchase of Service	1,374,731	1,499,731	125,000
503	Public Works, Expenses	351,280	381,280	30,000
507	Building Maintenance, Salaries	1,644,764	1,665,512	20,748

Line Item	Appropriation	Changing From	Changing To	Net Change
508	Building Maintenance,			
	Purchase of Service	1,171,477	1,191,477	20,000
511	Permanent Public Building Committee,			
	Salaries	5,330	35,330	30,000
	net change			260,000

Mr. John P. Ryan, Chairman, addressed this proposal on behalf of the Finance Committee. He stated that the town is receiving an additional \$826,379 in revenues from various sources and the cost of amending the FY1998 budget is \$260,000. He further noted that the Finance Committee recommends a favorable vote on this article as well as a later article increasing the amount of money in the Stabilization Fund. The Finance Committee prefers the balance in the Stabilization Fund to be kept in the 2% - 3% of gross expenditures or \$1.2 - \$1.8 million. The Stabilization Fund now stands at \$1 plus million.

In response to an inquiry from Mr. John E. Comando, Mr. Ryan explained that the Finance Committee is of the opinion that the town is better served by increasing the Stabilization Fund than using the additional revenues for the expense items proposed in this Special Town Meeting warrant.

In response to Mr. Patrick J. Hyland, Mr. Daniel P. Matthews explained that the Board of Selectmen prepare a cost summary yearly for presentation at the Annual Town Meeting.

After a brief discussion, a motion to move the previous question was offered by Mr. Frederick Waldman. The motion was presented and carried by voice vote.

Mr. Peckham's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts;

Line Item	Appropriation	Changing From	Changing To	Net Change
017	Maturing Bonds	1,447,079	1,425,079	(22,000)
018	Interest	419,693	384,693	(35,000)
021	Minuteman Vocational Assessment	500,000	539,693	39,693
105	Town Clerk, Salaries	143,744	139,244	(4,500)
107	Town Clerk, Expenses	3,825	5,325	1,500
111	Legal, Special Fees	130,000	160,000	30,000
208	Finance, Capital Outlay	18,900	21,900	3,000
211	Finance Committee, Reserve Fund	608,200	566,807	(41,393)
301	School Department, Salaries	20,713,916	20,693,168	(20,748)
401	Police Department, Salaries	3,042,442	3,126,142	83,700

502	Public Works,			
	Purchase of Service	1,374,731	1,499,731	125,000
503	Public Works, Expenses	351,280	381,280	30,000
507	Building Maintenance,			
	Salaries	1,644,764	1,665,512	20,748
508	Building Maintenance,			
	Purchase of Service	1,171,477	1,191,477	20,000
511	Permanent Public Building Committee,			
	Salaries	5,330	35,330	30,000
	net change			260,000

Articles 6 and 7 were adopted by unanimous consent at the beginning of this Special Town Meeting.

ARTICLE 8: AMEND GENERAL BY-LAW BY ADDING SECTION 2.2.1.6. ASSESSING OFFICE

To see if the Town will amend its General By-Laws inserting the following new section: "Section 2.2.1.6 Assessing Office: There shall be an Assessing Office which shall be under the jurisdiction of the Finance Director. There shall be a Director of Assessing responsible for the Administration of the Assessing Office. The Director of Assessing shall be appointed by a five person committee composed of two Selectmen, two Assessors and the Finance Director. The Director of Assessing and his staff shall report to the Finance Director. The Finance Director and Town Administrator shall ensure that the Director of Assessing and his staff provide assistance to the Board of Assessors sufficient for the Board of Assessors to discharge its statutory functions. The Board of Assessors shall have access to all facts, figures, records and other information pertaining to its statutory functions, and shall be furnished with such information forthwith, in the form it may require when requested from the Finance Director or Town Administrator. The Finance Director shall consult with the Board of Assessors prior to submitting budget recommendations to the Board of Selectmen relating to staffing, technology, and other resources affecting assessing functions. The Board of Assessors shall retain its own budget with respect to ordinary and necessary expenses of the Board of Assessors as distinguished from the Assessor's Office. The Board of Assessors shall submit to the Finance Director, at least annually, its performance evaluation of the Director of Assessing which shall be taken into consideration by the Finance Director. The Director of Assessing shall not be terminated without prior consultation by the Finance Director with the Board of Assessors.

Or take any other action relative thereto.

MOVED: That the Town amend its General By-Laws by inserting the following new section: "Section 2.2.1.6 Assessing Office: There shall be an Assessing Office which shall be under the jurisdiction of the Finance Director. There shall be a Director of Assessing responsible for the Administration of the Assessing Office. The Director of Assessing shall be appointed by a five person committee composed of two Selectmen, two Assessors and the Finance Director. The Director of Assessing and his staff shall report to the Finance Director. The Finance Director and Town Administrator shall ensure that the Director of Assessing and his staff provide assistance to the Board of Assessors sufficient for the Board of Assessors to discharge its statutory functions. The Board of Assessors shall have access to all facts, figures, records and other information pertaining to its statutory functions, and shall be furnished with such information

thwith, in the form it may require when requested from the
ance Director or Town Administrator. The Finance Director
ll consult with the Board of Assessors prior to submitting budget
ommendations to the Board of Selectmen relating to staffing,
nology, and other resources affecting assessing functions. The
ard of Assessors shall retain its own budget with respect to
inary and necessary expenses of the Board of Assessors as
inguished from the Assessor's Office. The Board of Assessors shall
mit to the Finance Director, at least annually, its performance
uation of the Director of Assessing; which shall be taken into
sideration by the Finance Director in his/her performance
uation of the Director of Assessing. The Director of Assessing
ll not be terminated without prior consultation by the Finance
ector with the Board of Assessors."

Mr. John H. Cogswell, Selectman, introduced Mr. James
Bucking, Chairman, Committee To Study The Town's Assessing
ction. Mr. Bucking advised that a written report had been sent
ll Town Meeting Members and he hoped that members have had
e to read the report. He reviewed the Committee's charge and
lained that this by-law is the culmination of the work of the
mmittee. Mr. Bucking further explained that Mr. Cogswell made
proposal to the Town Administrator, Finance Director, and
nnel Director who all concurred that this by-law is a good
nagement decision. The Committee To Study The Town's
essing Function recommends adoption of this proposal.

In response to an inquiry from Mr. George Tarello, Mr.
swell explained that while the workload for the Finance Director
ld increase, it would be offset by increased efficiency. He further
ed that there is no plan to add additional personnel.

Mr. Russell S. Broad, Jr. addressed Town Meeting in
ort of this proposal to have the director of Assessing report to the
ance Director who, in turn, reports to the Town Administrator
o, in turn, reports to the Board of Selectmen. He suggested that
Assessor's Office does a minimum of what's required by law.
ving received the blue informational booklet from the Assessor's
ice, he expressed hope that this reflects a change of attitude. He
ted that the Board of Assessors will still report to the State, but
article will provide oversight and accountability in the Assessor's
ice.

Mr. James M. Zeiger, the newest member of the Board of
essors, spoke in opposition of this proposal. He advised that the
ool Committee has the Superintendent, the Board of Selectmen
the Town Administrator, and the Board of Assessors has the
ministrative Assessor. This proposal is trying to change this
cedure. He asked Town Meeting to maintain the authority and
ependence of the Board of Assessors and urged defeat of this
posal.

Mr. Martin L. B. Walter advised that he has filed
tements and felt the process was fair. He indicated that it would
better having an independent abatement process not pressured by
financial demands of the town. Mr. John H. Cogswell stated that
abatement process will be objective and the Assessor's role will
tain the same.

Mr. Charles Cahill, resident, expressed concern with the
sent abatement process and favored the proposal.

After a brief discussion, a motion to move the previous
estion was offered by Mr. John F. Connell. The motion was
sented and carried by voice vote.

ACTION: The main motion was presented but the Moderator was in
doubt as to the voice vote. The following Town Meeting Members
were sworn in as tellers by the Moderator: Meredith P. Page, Harriett
D. Tippet, Foster S. Crook, Jonathan M. Davis, William R.
Dermody, and LeRoy J. Nutile. The motion was again presented, but
it failed to pass by a count of hands. The hand count was Yes 91 -
No 105.

A motion to refer this subject matter of this article back to
the Committee To Study The Town's Assessing Function was offered
by Mr. Daniel P. Matthews prior to the disposal of Article 8. The
Moderator announced that Mr. James Hugh Powers had prepared a
motion to refer this article to the Town Government Review
Committee in the event this article failed. At this time Mr.
Matthews withdrew his motion.

A motion to refer was offered by Mr. James Hugh Powers
that the subject matter of Article 8 be referred to the Town
Government Review Committee, established by vote of the Town
under Article 71 of the Warrant of the 1997 Annual Town Meeting,
for study by said Committee and a recommendation to the 1998
Annual Town Meeting or sooner.

Mr. Powers motion was presented, but the Moderator was
in doubt as to the voice vote. The motion was again presented and
carried by a count of hands. The hand counts was Yes - 116 - No 82.

ARTICLE 9: APPROPRIATE FOR ASSESSING VALUATION STUDY

To see if the Town will vote to raise and appropriate the
sum of \$75,000 to conduct a review of the Town's assessments of
real estate, to be spent under the direction of the Board of Assessors
and raised from the tax levy; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of
\$75,000 to conduct a review of the Town's assessments of real estate,
to be spent under the direction of the Board of Assessors and raised
from the tax levy.

The Moderator announced that the proponents of Article
9 requested unanimous consent to withdraw Article 9 at this time.
A motion to withdraw Article 9 was offered by Mr. John H. Cogswell
and unanimous consent was so given.

ARTICLE 10: APPROPRIATE FOR HILLSIDE BOILER DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the
sum of \$18,000 for the Hillside School boiler design specifications,
to be spent under the direction of the Municipal Building
Maintenance Board, to be raised from the tax levy; or take any other
action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of
\$18,000 for the Hillside School boiler design specifications, to be
spent under the direction of the Municipal Building Maintenance
Board, to be raised from the tax levy.

Mr. John D. Marr, Jr., Selectman, addressed this proposal
on behalf of the Board of Selectmen.

Unanimous consent was given to allow Mr. Mark LaFleur,
Director of the Municipal Building Maintenance Board and non-

resident, to address Articles 10 and 11.

Mr. LaFleur explained that only one of the Hillside School boilers is in use now and the other boiler is 37 years old and leaking.

Mr. Paul G. Smith, Jr., Vice Chairman of the Finance Committee, advised that the town is subject to 58% reimbursement by the State because this is a school project. He noted that the Finance Committee recommends adoption of this article.

In response to an inquiry from Mr. Gerald R. Browne, Mr. Daniel P. Matthews, Chairman, stated that the Board of Selectmen prefer to bring the design phase to Town Meeting first on Capital projects where time allows.

ACTION: The main motion was presented and carried by majority vote.

ARTICLE 11: APPROPRIATE FOR HIGH SCHOOL ROOF DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$50,000 for the High School Roof Design Specifications, to be spent under the direction of the Permanent Public Building Committee and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$50,000 for a period of up to five years under M.G.L. Ch. 44, Sec. 7; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of \$50,000 for the High School Roof Design Specifications, to be spent under the direction of the Permanent Public Building Committee and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$50,000 for a period of up to five years under M.G.L. Chapter 44, Sec. 7.

Mr. John D. Marr, Jr., Selectman, addressed this proposal on behalf of the Board of Selectmen. He explained that adoption of this proposal will allow for the preparation of plans and designs for the High School Roof with work to begin during Summer recess.

In response to an inquiry from Mrs. Doris O. Waldstein, Mr. Mark LaFleur advised that there are 26 different roofing surfaces on the High School building and that this is a big project.

In response to an inquiry from Mrs. Ruth Nadol, Mr. LaFleur advised that a Request For Proposal will be sent out. The town will select the best bid and return with bid in hand in the Spring. While the bid could be less, the firms bid on a percentage of the construction cost.

Mr. Paul G. Smith, Jr., Vice Chairman, advised that the Finance Committee recommends adoption of this proposal.

In response to an inquiry from Mr. Mark A. B. Walter, Mr. John H. Cogswell advised that articles 10 and 11 are under two separate bodies because the Permanent Public Building Committee oversees projects in excess of \$100,000 and the Municipal Building Maintenance Board oversees day-to-day repairs and determines maintenance needs. He explained that Article 11 is also eligible for potential reimbursement.

A motion to move the previous question was offered by Mr. Richard S. Luskin. The motion was presented and carried unanimously by voice vote.

ACTION: The main motion, which requires a two-thirds vote, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by a count of hands. The hand count was Yes 175 - No 1.

ARTICLE 12: APPROPRIATE FOR COMPREHENSIVE FACILITY STUDY

To see if the Town will vote to raise and appropriate the sum of \$85,000 for a comprehensive facility study of Town real estate and buildings, to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of \$85,000 for a comprehensive facility study of Town real estate and buildings, to be spent under the direction of the Board of Selectmen and raised from the tax levy.

Mr. Paul Theodore Owens, Selectmen, addressed the need for a comprehensive real estate facility study of the town's buildings. The building are going to need a lot of work. The buildings are aging and the needs are changing. For example the Town Hall was built in 1902 and renovated in the 1960s. Mr. Owens suggested the need to determine the urgency of individual projects and the need to know what we can afford to do and what we can afford not to do. The Board of Selectmen urge support of this proposal.

Mr. Karl H. Clauset, Jr., member, School Committee, advised that a significant portion of the study deals with schools. He noted that there is a projected increase of over 500 students in the next five years at which time there will be over 5,200 students between Kindergarten through 12th grade.

Mr. John P. Ryan, Chairman, advised that the Finance Committee recommends adoption of this study.

Mrs. Helen D. Jursek, Chairman, Community Center Study Committee, spoke in favor of this proposal. She indicated that while there is a definite need for a community center, there are still some unanswered questions. She urged support of this proposal.

In response to an inquiry from Mrs. Jill E. Owens, Mr. Clauset concurred that while an older study dealt with the "ideal" school and costs were not a big concern, this study, which would build on the older report, would take costs into consideration.

After a brief discussion, a motion to move the previous question was offered by Mr. Maurice Handel. The motion was presented and carried by voice vote.

ACTION: The main motion was presented and carried by majority vote.

At 11:01 P.M., Mr. Frederick Waldman moved that the Special Town Meeting stand adjourned to Wednesday, November 19, 1997 at 7:30 P.M. at the Pollard Middle School, and it was so voted unanimously.

Theodora K. Eaton, CMC/AEE
Town Clerk

ADJOURNED SPECIAL TOWN MEETING

Wednesday, November 19, 1997

Pursuant to adjournment of the Special Town Meeting of November 17, 1997, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School Wednesday, November 19, 1997, at 7:30 P.M.

Check lists were used and 198 Voters were checked on the as being present, including 182 Town Meeting Members.

Jordan Pransky and Jennifer Tucker were thanked by the Moderator for their assistance on the microphones this evening.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

ARTICLE 13: APPROPRIATE TO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of \$380,000 to the Stabilization Fund, as provided for under M.G.L., Ch. 40, Sec. 5B as amended; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of \$80,000 to the Stabilization Fund, as provided for under M.G.L., Ch. 40, Sec. 5B as amended.

A motion to amend the motion by changing the sum of \$380,000 to "\$463,379" was offered by Mr. Ford H. Peckham.

Mr. John P. Ryan, Chairman, addressed this proposal on behalf of the Finance Committee. He explained that the amount to be added to the Stabilization Fund has been increased because Article 9 was withdrawn and that proposed appropriation should be retained in the Stabilization Fund for future use.

Mr. Peckham's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

NOTED: That the Town vote to raise and appropriate the sum of \$463,379 to the Stabilization Fund, as provided for under M.G.L., Ch. 40, Sec. 5B as amended.

ARTICLE 14: ACCEPT M.G.L. CH. 71 OF THE ACTS OF 1996 (VETERAN'S RETIREMENT INCENTIVE LEGISLATION)

To see if the Town will vote to accept Ch. 71 of the Acts of 1996, as amended by Ch. 188 of the Acts of 1996; or take any other action relative thereto.

Summary of Ch. 71 of the Acts of 1996 - These acts amend M.G.L., Ch. 32, Sec. 3, g, (2) and Sec. 4, h, (1) to allow town employees, who have completed ten or more years of creditable service and who are veterans to purchase up to four years of creditable service corresponding to their period of active service in the armed forces.

MOVED: That the Town vote to accept Ch. 71 of the Acts of 1996, as amended by Ch. 188 of the Acts of 1996.

Mr. Thomas A. Welch, member, addressed this proposal on behalf of the Needham Retirement Board. He explained that approximately 71 employees are eligible to participate in the veterans buy-back program. However, in actuality only 15 employees will take advantage of this law in Fiscal Year 1999 at a cost of approximately \$55,000.

Mr. Danial P. Matthews, Chairman, addressed this proposal on behalf of the Board of Selectmen. According to Mr. Matthews, the Board of Selectmen has not come to a majority decision on this proposal. This law allows veterans to have up to 4 years service apply toward their retirement. However, the criteria for this benefit applies to existing benefits. For example, the town has provided veterans preference for police and fire positions. Also, there is the theory that the cost for those who take advantage of this law will be offset by the hiring of replacements at a lower salary. 90 of the 105 state retirement systems have adopted this program including the town's teachers. The bottom line is that this is a discretionary benefit.

Mr. John P. Ryan, Chairman, explained that the Finance Committee analyzed this proposal primarily as a cost item and do not recommend passage. The initial cost estimate was \$100,000 per year for 10 years. A new analysis, however, indicated an annual estimated cost of \$50,000. The Finance Committee also believes that cost items should not come before a Special Town Meeting, but compete with all cost items at the Annual Town Meeting.

Mr. William M. Powers, Selectman, suggested that this proposal becomes a question of fairness and that the town is given an opportunity to look at its employees.

Speaking in favor of this article were the following Town Meeting Members: Robert Y. Larsen, Robert F. Enos, Sandra E. Jaszek, and Laurence G. Eaton.

Speaking in opposition of this article were Eugene S. McMorrow, Richard B. Weitzen, Doris O. Waldstein, and Mr. Everett C. Hicks.

A motion to refer the subject matter of Article 14 back to the Retirement Board for further study was offered by Mr. Richard B. Weitzen.

A motion to move the previous question was offered by Mr. Foster S. Crook. Mr. Crook's motion was presented and carried by voice vote.

Mr. Weitzen's motion to refer was presented, but it failed to pass by voice vote.

ACTION: The main motion was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and once again the Moderator was in doubt. The motion was presented a third time and carried by a count of hands. The hand count was Yes 100 - No 77.

At this time the Moderator announced the preliminary attendance record for this evening of 177 Town Meeting Members present and 87 absent.

ARTICLE 15: AUTHORIZE THE SALE OF TOWN LAND - CHESTNUT STREET

To see if the Town will vote to authorize the Board of Selectmen to convey approximately 3,600 sq. ft. of land located on Chestnut Street, that is a portion of a lot of land shown as Lot 58 on Assessors Map Numbered 47, that was acquired by purchase for municipal off street parking purposes by authority of the vote of the 1950 Annual Town Meeting under Article 68, under such terms and conditions as the Board of Selectmen deems appropriate and proper; or take any other action relative thereto.

MOVED: That the Town vote to authorize the Board of Selectmen to convey approximately 3,600 sq. ft. of land located on Chestnut Street, that is a portion of a lot of land shown as Lot 58 on Assessors Map Numbered 47, that was acquired by purchase for municipal off street parking purposes by authority of the vote of the 1950 Annual Town Meeting under Article 68, under such terms and conditions as the Board of Selectmen deems appropriate and proper.

A motion to discuss Articles 15 and 16 together and vote on separately was offered by Mr. John H. Cogswell. The motion was presented and carried unanimously by voice vote.

Mr. Cogswell, Selectman, explained that this is the same article that was before the Annual Town Meeting last Spring and will increase much needed parking in the Town. Articles 15 proposes to sell a small section of land on Chestnut Street and Article 16 proposes to purchase 25 Chestnut Road (currently used as a pet supply store). The result will be an additional 35 parking spaces. The Board of Selectmen will return next year to the Annual Town Meeting with the final design of the new parking lot.

Mr. Paul G. Smith, Jr., Vice Chairman, advised that future costs for the construction of the new parking lot may be as high as \$300,000. He indicated that the Finance Committee recommends adoption of this proposal.

Mr. Richard W. Davis advised that the Economic Development Advisory Committee feel that this is a good proposal and recommend adoption of Articles 15 and 16.

After a lengthy discussion, a motion to move the previous questions on Articles 15 and 16 was offered by Mr. Frederick Waldman. The motion was presented and carried unanimously by voice vote.

ACTION: The main motion was presented and carried by majority vote.

ARTICLE 16: APPROPRIATE FOR LAND ACQUISITION

To see if the Town will vote to authorize the Board of Selectmen, on behalf of the town, to acquire by purchase for off street parking purposes all or part of a certain parcel of land, known as 25 Chestnut Road, consisting of approximately 9,453 sq. ft. of land and shown as Lot 61 on Assessors Map Numbered 47, raise and appropriate a sum of money for purchase of the real estate, demolition of any existing structures thereon, and the redesign and preparation of construction specifications of the Chestnut Street Parking Lot and determine how said sum shall be raised; or take any other action relative thereto.

MOVED: That the Town vote to authorize the Board of Selectmen, on behalf of the town, to acquire by purchase for off street parking

purposes all or part of a certain parcel of land, known as 25 Chestnut Road, consisting of approximately 9,453 sq. ft. of land and shown as Lot 61 on Assessors Map Numbered 47, raise and appropriate a sum of money for purchase of the real estate, demolition of any existing structures thereon, and the redesign and preparation of construction specifications of the Chestnut Street Parking Lot and determine how said sum shall be raised.

The Moderator announced that the proponents of Article 16 seek a negative vote on the main motion and will then present a second main motion.

ACTION: The main motion was presented, but it failed to pass by voice vote.

Mr. John H. Cogswell tendered a second main motion under Article 16.

MOVED: That the Town vote to authorize the Board of Selectmen on behalf of the Town, to acquire by purchase for off street parking purposes all or part of a certain parcel of land, known as 25 Chestnut Road, consisting of approximately 9,453 sq. ft. of land and shown as Lot 61 on Assessors Map Numbered 47, raise and appropriate a sum of \$80,000 for purchase of the real estate, demolition of any existing structures thereon, and the redesign and preparation of construction specifications of the Chestnut Street Parking Lot, that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$80,000 for a period of up to 5 years under M.G.L.A., Ch. 44., Sec. 7.

ACTION: The second main motion was presented and carried unanimously by voice vote.

VOTED: That the Town vote to authorize the Board of Selectmen on behalf of the Town, to acquire by purchase for off street parking purposes all or part of a certain parcel of land, known as 25 Chestnut Road, consisting of approximately 9,453 sq. ft. of land and shown as Lot 61 on Assessors Map Numbered 47, raise and appropriate a sum of \$80,000 for purchase of the real estate, demolition of any existing structures thereon, and the redesign and preparation of construction specifications of the Chestnut Street Parking Lot, that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$80,000 for a period of up to 5 years under M.G.L.A., Ch. 44., Sec. 7.

ARTICLE 17: APPROPRIATE FOR TRANSFER STATION BUILDING

To see if the Town will vote to raise and appropriate the sum of \$37,000 for construction of the Solid Waste Transfer Building; to be expended under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$37,000 for a period of up to 20 years; under M.G.L., Ch. 44.; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of \$37,000 for construction of the Solid Waste Transfer Building; to be expended under the directions of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$37,000 for a period of up to 20 years, under M. G. L. Ch. 44.

Mr. William M. Powers, Selectman, addressed this proposal on behalf of the Board of Selectmen. He advised that this proposal

a request to expend \$37,000 for the Solid Waste Transfer Station.

Mr. John P. Ryan, Chairman, stated that the Finance Committee voted to recommend adoption of this proposal. He presented an overview of the disposal area closing costs which consists of four phases - \$678,000 for expansion, \$807,000 for the transfer station, \$220,000 for landfill closing design, and approximately \$5 million for the closure itself.

ACTION: The main motion, which requires a two-thirds vote, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by a count of hands. The final count was Yes 160 - No 1.

ARTICLE 18: APPROPRIATE FOR WATER TREATMENT PLANT

To see if the Town will vote to raise and appropriate the sum of \$3,000,000 for the engineering, design, construction and equipment, including the preparation of plans and specifications for a water supply treatment facility; to be spent under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to 30 years under M.G.L., Ch. 44, Sec. 8; said amount is in addition to the \$3,000,000 authorized and appropriated at the 1996 Annual Town Meeting under Article 47; or take any other action relative thereto.

VOTED: That the Town vote to raise and appropriate the sum of \$3,000,000 for the engineering, design, construction and equipment, including the preparation of plans and specifications for a water supply treatment facility; to be spent under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to 30 years under M.G.L., Ch. 44, Sec. 8; said amount is in addition to the \$3,000,000 authorized and appropriated at the 1996 Annual Town Meeting under Art.47.

A motion to amend by inserting the amount of \$3,635,000 in place of "\$3,000,000" in all places, and by adding the following emergency preamble was offered by Mr. John H. Cogswell: "It is declared that this is an emergency measure necessary for immediate preservation of the peace, health, safety or convenience of the town and shall be operative upon the dissolution of this special town meeting."

Mr. John H. Cogswell, Selectmen, addressed this proposal on behalf of the Board of Selectmen. He explained that the emergency preamble is necessary because the bids will expire before the referendum period ends. He further explained that the new water plant is required because of the acidity of the water and the manganese level in one well far exceeds the limits allowed by the Department of Environmental Protection. The other two wells are most at the DEP limits. In addition, the MWRA water rates are significantly higher than using the town's own water. The corrosion control system, a green sand filtration system, would reduce levels and allow the opening of well #3. Bids have been received for the water treatment plant for both locations. The site closer to the street costs approximately \$200,000 less. The Board of Selectmen recommends going with the location preferred by the area residents. Mr. Cogswell reiterated that going forward with the water treatment plant is the best buy. He apologized for the cost error made in 1996 and recommended adoption.

Mr. John P. Ryan, Chairman, advised that the Finance Committee recommends adoption of this article and the location of Site A. He indicated that there are a number of factors that compel action and that the option of doing nothing does not exist. Something has to be done. Data shows a gradual increase in manganese level. There will be no additional employees required to man the plant. The Permanent Public Building Committee will have responsibility of this project.

Dr. Robert Goldzer, resident, addressed this proposal on behalf of about 20 families in the Charles River Street area who support site A. He noted that these families are concerned about safety and ask for support of this location.

Mrs. Sandra B. Tobin also spoke in favor of this proposal. She indicated that the site further back is better for the residents and the town and urged support of this location.

Mr. Gilbert W. Cox, Jr. requested a fresh water spigot to be placed near the pumping station as had been done previously.

A motion to amend by inserting the amount of "\$3,370,000" in place of the amount of "\$3,000,000", the words "to be located at Site B" after the words "specifications for a water supply treatment facility", and the emergency preamble was offered by Mr. Robert Y. Larsen.

After a lengthy discussion, a motion to move the previous question on all questions on the floor was offered by Mr. John F. Milligan. Mr. Milligan's motion was presented and carried unanimously by voice vote.

Mr. Larsen's Motion to amend was presented, but it failed to pass by voice vote.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, which requires a two-thirds vote, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$3,635,000 for the engineering, design, construction and equipment, including the preparation of plans and specifications for a water supply treatment facility; to be spent under the direction of the Permanent Public Building Committee; that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$3,635,000 for a period of up to 30 years under M.G.L., Ch. 44, Sec. 8; said amount is in addition to the \$3,635,000 authorized and appropriated at the 1996 Annual Town Meeting under Art.47. It is declared that this is an emergency measure necessary for immediate preservation of the peace, health, safety or convenience of the town and shall be operative upon the dissolution of this special town meeting.

Article 19 was adopted unanimously on November 17, 1997.

ARTICLE 20: ACCEPT M.G.L., CH. 44 SEC. 53F 1/2

To see if the Town will accept the provisions of Ch. 44, Sec. 53F 1/2 of the Massachusetts General Laws, to establish a Solid Waste and Recycling enterprise fund effective for fiscal year 1999; or take any other action relative thereto.

Summary: A city or town, upon acceptance of M.G.L., Ch. 44, Sec. 53F1/2 may establish a separate account classified as an "Enterprise Fund", for a utility, health care, recreational or transportation facility. The account shall be maintained by the Town Treasurer, and all funds received from any source derived from all the activities of the enterprise shall be deposited in the account.

At least 120 days prior to the beginning of each fiscal year an estimate of income and a proposed line item budget shall be submitted to the Selectmen. The Selectmen will make a recommendation to the town meeting, which will act upon the budget. Estimated income and the amount appropriated for the expenses of the enterprise shall be included in the current tax levy. If the estimated income is less than the total appropriation, the difference shall be added to the current tax levy. If the estimate income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges. If the enterprise incurs a loss, such loss will be included in the succeeding fiscal year's budget. A town that has accepted the provisions of Ch. 44, Sec. 53F 1/2 with respect to a designated enterprise may, in like manner, revoke its acceptance.

MOVED: That the Town accept the provisions of Ch. 44, Sec. 53F 1/2 of the Massachusetts General Laws, to establish a Solid Waste and Recycling enterprise fund effective for fiscal year 1999.

Mr. John H. Cogswell, Selectman, stated that the Board of Selectmen recommends adoption of this proposal.

Mr. Paul G. Smith, Jr., Vice Chairman, advised that this is an accounting method that will track costs and will not create an increase in the tax levy. The Finance Committee recommends adoption of this proposal.

ACTION: The main motion was presented and carried by majority vote.

At 10:50P.M. the following Resolution was offered by the Board of Selectmen:

RESOLUTION

In Memory of Rose O. Mackenzie

- WHEREAS: Rose O. Mackenzie and her family resided in Needham for more than 48 Years; and
- WHEREAS: Rose O. Mackenzie served the Town of Needham as Secretary to the Planning Board and Assistant Town Clerk; and
- WHEREAS: Rose O. Mackenzie was elected as Town Clerk in 1973 and reelected until her retirement in 1982; and
- WHEREAS: As Town Clerk, Rose O. Mackenzie maintained records, census information, public records, and organized State and Annual Town Elections and Town Meeting Records; and
- WHEREAS: Rose O. Mackenzie was exemplary in fulfilling her responsibilities in the preparation of and the fulfillment of her duties associated with Town Meeting;

NOW, THEREFORE, BE IT RESOLVED by this body that this Special Town Meeting is dissolved in honor of Rose O. Mackenzie for her dedication and outstanding contributions to Town Meeting as the Town Clerk from 1973 to 1982.

ACTION: The Resolution was presented and carried unanimously by voice vote.

Theodora K. Eaton, CMC/AAE,
Town Clerk

A true copy
ATTEST:

RECORD OF THE ANNUAL TOWN ELECTION

MONDAY, APRIL 13, 1998

Pursuant to a Warrant issued by the Selectmen March 10, 1998 the Inhabitants of the Town of Needham qualified to vote in elections met at the polling places designated for the several precincts said Needham on Monday, the thirteenth day of April in the year 1998 at forty-five minutes after six o'clock in the forenoon.

The meeting was called to order and the Warrant and the Officer's Return were read by the Warden of the Precincts, the reading of the articles in the Warrant being waived upon motion.

The ballot clerks were sworn to the faithful performance of their duties by their respective Wardens.

The polling places had been designated as follows:

Precinct A - Hillside School - Gymnasium
 Precinct B - Hillside School - Gymnasium
 Precinct C - Newman School - Gymnasium
 Precinct D - High Rock School (Rashi School) (Gym)
 Precinct E - Pollard Middle School - Room 226
 Precinct F - Stephen Palmer Community Room
 Precinct G - Broadmeadow School - Gymnasium
 Precinct H - Broadmeadow School - Gymnasium
 Precinct I - William Mitchell School - Gymnasium
 Precinct J - William Mitchell School - Gymnasium

The polls were opened at forty-five minutes after six o'clock in the forenoon and were kept open until eight o'clock in the forenoon.

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Moderator for One Year;
 One Selectman for Three Years;
 One Town Clerk for Three Years;
 One Assessor for Three Years;
 One Assessor for Two Years;
 Three Members of School Committee for Three Years;
 Two Trustees of Memorial Park for Three Years;
 Two Trustees of Needham Public Library for Three Years;
 One Member of Board of Health for Three Years;
 One Member of Planning Board for Five Years;
 One Member of Needham Housing Authority for Five Years;
 One Commissioner of Trust Funds for Three Years;
 Two Members of Park & Recreation Commission for Three Years;
 Eight Town Meeting Members from Precinct A for Three Years;
 Eight Town Meeting Members from Precinct B for Three Years;
 Eight Town Meeting Members from Precinct C for Three Years;
 One Town Meeting Member from Precinct C for One Year;
 Eight Town Meeting Members from Precinct D for Three Years;
 Two Town Meeting Members from Precinct D for Two Years;
 Two Town Meeting Members from Precinct D for One Year;
 Eight Town Meeting Members from Precinct E for Three Years;
 One Town Meeting Member from Precinct E for Two Years;
 Eight Town Meeting Members from Precinct F for Three Years;
 Eight Town Meeting Members from Precinct G for Three Years;
 Eight Town Meeting Members from Precinct H for Three Years;
 Eight Town Meeting Members from Precinct I for Three Years;
 One Town Meeting Member from Precinct I for Two Years;
 Eight Town Meeting Members from Precinct J for Three Years;

Two Town Meeting Members from Precinct J for One Year.

ARTICLE 2: BALLOT QUESTION

To submit the following question upon the official ballot to the voters of the Town:

QUESTION: 1 DEBT EXCLUSION - LANDFILL CLOSURE

"Shall the Town of Needham be allowed to exempt from the provisions of Proposition two and one-half, so called, the amount to pay for the bond issued in the principal amount not to exceed \$2,500,000 in order to close and cap the Town's landfill on Central Avenue?"

The ballot box returns in the Precincts were as follows:

<u>PRECINCTS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
6:45 A.M.	0	0	0	0	0
7:00 A.M.	0	0	1	0	0
8:00 A.M.	23	20	9	18	14
9:00 A.M.	30	48	63	33	21
10:00 A.M.	44	61	92	51	41
11:00 A.M.	60	87	140	62	59
12:00 NOON	81	109	178	82	81
1:00 P.M.	87	117	192	99	100
2:00 P.M.	98	130	219	110	120
3:00 P.M.	109	149	257	113	132
4:00 P.M.	121	176	287	133	162
5:00 P.M.	141	197	311	156	189
6:00 P.M.	165	229	337	184	217
7:00 P.M.	190	284	374	212	265
8:00 P.M.	210	312	401	246	298

<u>PRECINCTS</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>I</u>
6:45 A.M.	0	0	0	0	0
7:00 A.M.	0	4	9	2	3
8:00 A.M.	27	15	17	13	19
9:00 A.M.	42	25	51	27	32
10:00 A.M.	67	38	70	46	51
11:00 A.M.	85	56	92	55	60
12:00 NOON	99	80	103	73	77
1:00 P.M.	112	92	117	95	98
2:00 P.M.	123	109	135	106	104
3:00 P.M.	140	118	169	126	113
4:00 P.M.	166	130	191	150	125
5:00 P.M.	195	149	217	169	157
6:00 P.M.	223	180	256	195	188
7:00 P.M.	261	205	332	282	208
8:00 P.M.	297	259	350	321	237

The Town Clerk upon receipt of the returns from the several precincts forthwith canvassed the same and announced the official results at 8:47 P.M. April 13, 1998.

(The absentee ballots are included in the Total Vote)

TOTAL VOTE CAST: 2,931 - 15.69%

The result of the balloting was as follows:

TOWN OFFICES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>I</u>	<u>TOTAL</u>
Total Number of Votes Cast	210	312	401	246	298	297	259	350	321	237	2,931
MODERATOR (for one year)(Vote for One)											
Michael K. Fee	145	222	274	191	225	214	206	242	239	175	2,133
Scattered Write-Ins:	2	1	1	-	1	1	5	4	-	1	16
Blanks	63	89	126	55	72	82	48	104	82	61	782
SELECTMAN (for three years)(Vote for ONE)											
Daniel P. Matthews	139	189	238	159	200	194	175	208	198	154	1,854
Scattered Write-Ins:	2	3	-	-	8	5	5	6	1	2	32
Blanks	69	120	163	87	90	98	79	136	122	81	1,045
TOWN CLERK (for three years)(Vote for ONE)											
Theodora K. Eaton	148	217	279	184	216	211	203	242	224	185	2,109
Scattered Write-Ins:	-	-	-	1	1	1	1	-	-	-	4
Blanks	62	95	122	61	81	85	55	108	97	52	818
ASSESSOR (for three years)(Vote for ONE)											
James M. Zeiger	127	181	219	153	178	174	158	196	185	154	1,725
Scattered Write-Ins:	-	-	2	1	1	-	1	-	1	-	6
Blanks	83	131	180	92	119	123	100	154	135	83	1,200
ASSESSOR (for two years)(Vote for ONE)											
David R. Suny	125	185	213	149	176	171	154	191	176	141	1,681
Scattered Write-Ins:	-	-	1	1	1	-	1	-	-	1	5
Blanks	85	127	187	96	121	126	104	159	145	95	1,245
SCHOOL COMMITTEE (for three years)(Vote for NOT MORE THAN THREE)											
Irwin Silverstein	150	198	217	151	166	182	151	229	199	168	1,811
Mary V. Minott	72	121	200	137	161	127	148	153	167	109	1,395
Jeffrey J. Simmons	102	165	200	162	212	170	163	186	205	132	1,697
John A. Ullian	137	214	206	133	153	185	143	219	185	153	1,728
Scattered Write-Ins:	1	2	2	-	1	3	2	3	-	-	14
Blanks	168	236	378	155	201	224	170	260	207	149	2,148
TRUSTEE OF MEMORIAL PARK (for three years)(Vote for NOT MORE THAN TWO)											
Charles J. Mangine	121	189	221	147	193	182	176	196	205	164	1,794
Ron Sockol	135	200	228	154	191	191	179	211	204	158	1,851
Scattered Write-Ins:	1	2	-	-	-	1	-	-	-	1	5
Blanks	163	233	353	191	212	220	163	293	233	151	2,212
TRUSTEE OF NEEDHAM PUBLIC LIBRARY (for three years)(Vote for NOT MORE THAN TWO)											
Lois C. Bacon	129	184	216	152	185	176	175	207	204	157	1,785
Gail B. Hedges	127	185	224	162	195	172	181	196	215	152	1,809
Scattered Write-Ins:	-	-	-	-	-	-	1	2	-	3	6
Blanks	164	255	362	178	216	246	161	295	223	162	2,262
BOARD OF HEALTH (for three years)(Vote for ONE)											
A. Raymond Taurasi	139	190	222	159	196	176	172	199	193	154	1,800
Scattered Write-Ins:	1	-	1	1	1	-	1	1	-	1	7
Blanks	70	122	178	86	101	121	86	150	128	82	1,124
PLANNING BOARD (for five years)(Vote for ONE)											
Devra G. Bailin	121	181	206	146	187	169	169	191	185	140	1,695
Scattered Write-Ins:	5	-	1	-	1	2	2	2	-	3	16
Blanks	84	131	194	100	110	126	88	157	136	94	1,220

TOWN OFFICES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>I</u>	<u>TOTAL</u>
Total Number of Votes Cast	210	312	401	246	298	297	259	350	321	237	2,931
NEEDHAM HOUSING AUTHORITY (for five years)(Vote for ONE)											
Richard W. Gatto	135	187	221	176	189	186	184	208	210	158	1,854
Scattered Write-Ins:	-	-	1	-	-	2	1	-	-	-	4
Blanks	75	125	179	70	109	109	74	142	111	79	1,073
COMMISSIONER OF TRUST FUNDS (for three years)(Vote for ONE)											
Patrick C. Forde	128	176	208	145	191	177	177	204	218	154	1,778
Scattered Write-Ins:	-	-	-	-	-	-	-	-	-	1	1
Blanks	82	136	193	101	107	120	82	146	103	82	1,152
PARK & RECREATION COMMISSION (for three years)(Vote for NOT MORE THAN TWO)											
Jeffrey I. Meropol	118	170	204	135	182	162	178	191	193	147	1,680
James F. Sargent	127	185	212	145	186	170	179	193	187	144	1,728
Scattered Write-Ins:	-	-	1	-	3	-	1	-	1	2	8
Blanks	175	269	385	212	225	262	160	316	261	181	2,446

QUESTION #1 - DEBT EXCLUSION - LANDFILL CLOSURE

YES	105	150	194	137	178	158	165	180	178	129	1,574
NO	76	114	87	69	71	87	61	121	92	80	858
Blanks	29	48	120	40	49	52	33	49	51	28	499

TOWN MEETING MEMBERS

* Not Elected

PRECINCT A (for three years)(Vote for NOT MORE THAN NINE)

Karen N. Price	115	Alan S. Fanger	90
Madeline A. Page	113	Michael A. Cerundolo	89
Robert E. Hoban, Jr.	103	Sydney Randall	87
Richard S. Luskin	99	Blanche D. Randall	86
Herbert Robinson	93	*Scattered Write-Ins	6

PRECINCT A (for three years)(Vote for NOT MORE THAN NINE)

Deborah H. Anastas	143	Sandra E. Jaszek	123
John C. Halfrey	143	A. Fay Remnitz	117
Trudi R. Ide	143	Donald R. Steinberg	113
Meredith P. Page	141	*George Giunta, Jr.	104
Elisabeth A. Harris	136	*Jane T. Love	97
Amy L. MacAvery	133	*Julio Farulla	96

PRECINCT C (for three years)(Vote for NOT MORE THAN NINE)

Christine M. Harvey	199	Rita A. Russian	191
Stanton H. Davis	196	William H. Dugan, Jr.	186
Everett E. Hicks	195	Jonathan D. Tamkin	184
Evelyn S. Dow	191	Richard L. Mitchell	179
Carl J. Lueders	191	*Scattered Write-Ins	2

TOWN MEETING MEMBERS

*Not Elected

PRECINCT C (for one year)(Vote for ONE)

Charles A. Thompson	218	*Scattered Write-Ins:	2
*Paul S. Alpert	108		

PRECINCT D (for three years)(Vote for NOT MORE THAN NINE)

Kathy L. Killeen	160	Elizabeth B. Kloss	144
Joan E. Adams	155	Kathleen M. Lewis	140
Patricia A. Taurasi	154	Scattered Write-Ins:	
A. Raymond Taurasi	150	Saul Adams	5
Ronald L. Morrison	146	* Edward G. Ballard, Jr.	1
Diane S. Webber	145	* Jean C. Flamand	1

PRECINCT D (for two years)(Vote for NOT MORE THAN TWO)

Bruce T. Eisenhut	156	*Scattered Write-Ins:	
Write-Ins:		*Peter B. Krupp	1
Jonathan Tamir	2	*Thomas J. Zappala	1

PRECINCT D (for one year)(Vote for NOT MORE THAN TWO)

Write-Ins:		Janice G. Hunt	2
Antonio M. Manzon	2	* Scattered Write-Ins:	9

PRECINCT E (for three years)(Vote for NOT MORE THAN EIGHT)

Jean C. Martin	159	Lawrence R. Cummings	111
Linda J. George	134	*Phyllis M. Uhl	94
William J. Supple	133	*Mark A. B. Walter	91
Roma Jean Brown	121	*James R. Lamenzo	71
Ann DerMarderosian	116	*Paul A. Siegenthaler	68
Paul H. Durda	114	*Martha L. Shults	61
James G. Healy	112		

PRECINCT E (for two years)(Vote for ONE)

Richard A. Carey	188
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PRECINCT F (for three years)(Vote for NOT MORE THAN EIGHT)

Maurice P. Handel	165	Nicholas L. Shaheen	142
Richard W. Davis	162	Bernard H. Ford	140
Gregory John Shesko	151	*Ada W. Suydam	109
Carolyn R. McIver	151	Write-Ins:	
Robert F. Enos	149	* Thomas R. Evans, Jr.	2
John J. Naughton, Jr.	144	*Scattered Write-Ins:	3

TOWN MEETING MEMBERS

Not Elected

PRECINCT G (for three years)(Vote for NOT MORE THAN EIGHT)

Robert T. Smart, Jr.	179	Barbara K. Popper	167
Musan W. Abbott	176	Robert T. Heald	163
Heila G. Pulver	171	Joann Miles	158
Marcia B. Young	169	William J. Miles	149
		* Scattered Write-Ins:	7

PRECINCT H (for three years)(Vote for NOT MORE THAN EIGHT)

Penny E. Gordon	193	Caroline Q. McElroy	172
Nancy E. McCarthy	187	John E. Comando	171
Joseph A. Thissell	184	Eugene S. McMorrow	171
Barbara R. Wilmot	177	*Michael A. Diener	131
LeRoy J. Nutile	174	*Scattered Write-Ins:	10

PRECINCT I (for three years)(Vote for NOT MORE THAN EIGHT)

Peter W. Adams	193	Neil O. Alper	160
Paul F. Denver	181	Robert E. Chase	158
Michele M. McQuillen	164	Paul G. Smith	158
Joanne Aliber	161	* Robert D. Hall, Jr.	143
John W. Day	161	* Scattered Write-Ins:	1

PRECINCT I (for two years)(Vote for ONE)

Lorraine M. Murphy	198
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PRECINCT J (for three years)(Vote for NOT MORE THAN EIGHT)

William R. Dermody	154	Emily M. Salaun	135
Jane B. Murphy	142	Jane Butler-Lane	133
Marcia C. Mather	137	Richard W. Epstein	132
John P. Connelly	137	Michael J. Greis	127

PRECINCT J (for one year)(Vote for NOT MORE THAN TWO)

Gregory M. Casey.	152	Charles H. Cahill, Jr.	141
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The ballots cast in the several precincts were returned to the Town Clerk in the sealed containers along with the election program disks. The voting lists used at the entrance to the polling place and at the ballot boxes and a copy of the precinct record of the election were also returned, all properly sealed in conformity with the laws governing elections.

Adjourned at 8:47 P.M., April 13, 1998.

Theodora K. Eaton, CMC/AEE/CMMC

Town Clerk

a true copy
ATTEST:

ELECTION
(To break Tie Vote in Precinct G
for Write-In Candidates)

Tuesday, April 28, 1998

In accordance with Section 9, Chapter 403 of the Acts of 1971 (Town Charter), a meeting of the Town Meeting Members from Precinct G was held on Tuesday evening, April 28, 1998 for the purpose of electing one of several write-in candidates receiving tie votes to fill the vacancy created by the appointment of Susan Welby as Chairman of the School Committee. A quorum was present; ballots were cast with the following results:

Nancy A. Gallelo	1 Vote
Mary S. Kenslea	11 Votes
Daniel C. Wright	0 Votes

Other Town Meeting Member candidates appointed to fill vacancies include:

Paul S. Alpert, 116 Pine Street, Precinct C
Antonio M. Manzon, 53 Henderson Street, Precinct D
Dr. Saul Adams, 1206 Great Plain Avenue, Precinct D
Janice G. Hunt, 696 South Street, Precinct D
Mark A. B. Walter, 271 Edgewater Drive, Precinct E
Ada W. Suydam, 35 Carey Road, Precinct F
Michael A. Diener, 30 Kenney Street, Precinct H

Theodora K. Eaton, CMC/AAE,
Town Clerk

Attest:

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Special Town Meeting - May 6, 1998

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ANNUAL TOWN MEETING FOR THE TRANSACTION OF BUSINESS

May 4, 1998

Pursuant to a Warrant issued by the Selectmen March 10, 1998, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School on Monday, May 4, 1998, at 7:30 o'clock in the afternoon.

The checkers appointed by the Selectmen were sworn to the faithful performance of their duties by the Town Clerk.

Check lists were used and 246 voters, including 234 Town Meeting Members, were checked on the list as being present.

Opening ceremonies were provided by the Pollard School Orchestra led by Suzzane Chickering.

The meeting was called to order at 7:30 o'clock by the Moderator, Michael K. Fee. Mr. Henry Hicks, Curator of the Needham Historical Society, presented a brief report on the history of Needham. The colors were presented by the Honor Guard from the American Legion Post and Veterans of Foreign Wars Lt. Manson H. Carter Post, while those present joined in pledging allegiance to the flag. The Moderator thanked Jennifer Tucker and David DeLucca for manning the microphones this evening.

At the designation of Rabbi Carl M. Perkins, President of the Needham Clergy Association, Reverend Richard C. Nichol, Spiritual Leader, Congregation Ruach Israel, gave the invocation.

The call to the meeting and the officer's return were read by the Town Clerk, the reading of the articles in the Warrant being waived upon motion.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

The Town Meeting Members were sworn to the faithful performance of their duties by the Town Clerk.

The Moderator announced the following ground rules and these were adopted unanimously:

1. A speaker will be ruled out of order who refers to personalities. Let us remember that we are ONE community and ONE Town Meeting Family with one common goal: the best interests of our town.

2. I ask that you rise to be recognized and address the Moderator. Please state your name and precinct when recognized so that the Town Clerk may keep an accurate record.

3. Your attention is drawn to the disclosure required by an attorney employed by one who has an interest in a matter as set forth in Art. I, Sec. 1.9 of the Needham General By-Laws.

4. Blank forms for lengthy motions are available from Town Counsel, Mr. Tobin, and should be employed. If lengthy or complicated motions are not drafted and submitted for review by the Moderator and Town Counsel prior to being placed on the floor, the speaker will yield the floor to another speaker while the drafting and formulation process is underway.

5. Short motions to amend and procedural motions need not

be in writing.

6. Parliamentary procedures known as "points of information" and "points of order" shall be strictly construed so as not to elongate or permit debate after a motion to move the previous question has been placed on the floor.

7. Limits on debate shall be enforced by the Moderator.

8. Questions asked for general informational purposes unrelated to the matter under consideration by the meeting shall be ruled out of order.

9. As stated in the Moderator's memorandum to Town Meeting Members, inappropriate conduct involving the T.V. cameras shall be dealt with swiftly by the chair and will be deemed to be out of order.

10. Unanimous consent was given to adopt the following limits of debate:

20 Minutes - Committee Chairpersons, Proponents, Attorneys representing proponents; subject to extension by the Moderator.

8 Minutes - Town Meeting Members, non-Town Meeting Members visitors other than attorneys.

As in previous years, with respect to Article 24, the Fiscal Year 1999 Operating Budget, as well as Articles 25, 26, and 27, no motion to amend which adds funds to a particular line item or item will be in order unless the movant identifies the line items elsewhere in the budget from which these funds will be taken.

Finally, Article 80 contains a proposed By-Law that will permit the Moderator to declare, on the basis of a non-unanimous voice vote, obviously 2/3 votes on articles that require 2/3 for passage such as bonding. [EXAMPLE] The legislation enacted last year that makes this possible provides that a Town may permit the Moderator to declare a 2/3 vote without the need for a count by By-law or vote. Therefore, the Moderator asked unanimous consent to adopt to implement this procedure. Unanimous consent was given to implement this procedure.

Changes in affirmative motions contrasted with articles were noted by the Moderator.

The Moderator announced that the proponents of Articles 44, 52, 53, 56, 57, 69, 71, 82, 83, and 88 requested unanimous consent to withdraw these articles. Town Meeting Members indicated that there were no objections to the withdrawal of Articles 44, 52, 53, 56, 57, 69, 71, 82, 83, and 88. It was voted unanimously to withdraw Articles 44, 52, 53, 56, 57, 69, 71, 82, 83, and 88.

The Moderator announced the following articles in which there will be motions to amend and therefore cannot be adopted unanimously: Articles 9, 11, 12, 13, 15, 28, 39, 41, 43, 46, 47, 49, 55, 58, 59, 60, 61, 64, 66, 74, and 80.

The Moderator asked unanimous consent to omit the reading of the articles and to refer to them by number only. Any Town Meeting Member who wished to "question" or "debate" should so indicate when the number was called and those articles not so indicated would be adopted by unanimous consent. There was no objection and the Moderator declared this method to be adopted unanimously.

The Moderator then proceeded to call each article in the warrant by number commencing with Article No. 4. No Town Meeting Member responded with "question" or "debate" to the following articles: 4, 5, 20, 30, 31, 32, 33, 35, 36, 50, 63, 70, 73, 79, and 81.

The Moderator then called each of the above-mentioned articles by number and no objection was heard to adoption by unanimous consent. The Moderator stated that the Town Counsel had filed copies of an affirmative motion for each article with the Town Clerk on April 23, 1998, and that the motions had been available for public scrutiny since that date. It was moved that all affirmative motions for the above-mentioned articles be adopted by unanimous consent. It was so unanimously voted and the Town Clerk was requested to so record. As a result thereof, said articles and the votes thereunder are as follows:

ARTICLE 4: STREET ACCEPTANCE

To see if the Town will vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans:

Carleton Drive
Cedar Springs Lane
A portion of Bridle Trail Road

Or take any other action relative thereto.

Article 4 Explanation: The streets included in this Article have been built by developers, according to the Town's Subdivision control law. Acceptance of these streets as public ways requires approval by Town Meeting.

MOVED: That the Town vote to accept the following streets or portions thereof, constructed by developers under the requirements of the Subdivision Control Law and as laid out by the Board of Selectmen according to plans on file with the Town Clerk, including the taking or acceptance of easements as shown on said plans:

Carleton Drive
Cedar Springs Lane
A portion of Bridle Trail Road

ACTION: So voted by unanimous vote.

ARTICLE 5: TRANSFER OF LAND TO BOARD OF SELECTMEN (WEST STREET)

To see if the Town will vote to transfer a portion of land on West Street containing approximately 11,315 square feet; now held by the School Committee for school purposes, to the Board of Selectmen for general purposes; said land being more fully shown on a plan entitled, Jurisdictional Plan Showing Area To Be Used for Sewer Pumping Station, dated March 2, 1998 and on file with the Engineering Division of Department of Public Works; or take any other action relative thereto.

Article 5 Explanation: The reconstruction of the West Street pumping station will require a portion of the new station to be built on land currently under the jurisdiction of the School Committee. This Article will transfer the required land to the Board of Selectmen.

MOVED: That the Town vote to transfer a portion of land on West Street containing approximately 11,315 square feet; now held by the School Committee for school purposes, to the Board of Selectmen for general purposes; said land being more fully shown on a plan entitled, Jurisdictional Plan Showing Area To Be Used for Sewer Pumping Station, dated March 2, 1998 and on file with the Engineering Division of Department of Public Works.

ACTION: So voted by unanimous vote.

ARTICLE 20: APPROPRIATE FOR PURCHASE AND INSTALLATION OF SIDEWALK LIGHTS

Move that the Town of Needham appropriate the sum of \$5,000.00 for the purchase and installation of 6 sidewalk lights to be installed in the following locations.

- a) Four lights to be installed along the concrete sidewalk connecting Great Plain Avenue with the parking lot behind the First Church of Christ Scientist, Needham. The Town constructed the walk to the parking lot after having been given an easement by the Church.
- b) Two lights to be installed along the property line between the parking lot and the First Church of Christ, Scientist, Needham.

In exchange for the purchase and installation of said lights, the First Church of Christ, Scientist, Needham, agrees to be responsible for relamping and for the payment of the electricity required to operate the lights.

Or take any other action relative thereto.

Article 20 Explanation: This article addresses the need for safety lighting to be installed along the pedestrian right of access which leads from Great Plain Avenue to the parking lot at the rear of First Church of Christ, Scientist, 870 Great Plain Avenue. Vehicle access to the lot is from Dedham Avenue. The Town has the use of the parking lot for public off-street parking on secular days and hours under a license agreement with the Church dated November 10, 1981 and renewed on April 14, 1992. The license agreement will expire on November 1, 2001. Responsibility for lighting the pedestrian walkway is unclear under the terms of the license agreement. The proposal specifies 4 new light poles and underground wiring along the walkway and 2 light poles and underground wiring at the rear of the church building next to the parking lot.

MOVED: That the Town of Needham appropriate the sum of \$5,000.00 for the purchase and installation of 6 sidewalk lights to be installed in the following locations.

- a) Four lights to be installed along the concrete sidewalk connecting Great Plain Avenue with the parking lot behind the First Church of Christ Scientist, Needham. The Town constructed the walk to the parking lot after having been given an easement by the Church.
- b) Two lights to be installed along the property line between the parking lot and the First Church of Christ, Scientist, Needham.

In exchange for the purchase and installation of said lights, the First Church of Christ, Scientist, Needham, agrees to be responsible for relamping and for the payment of the electricity required to operate the lights.

ACTION: So voted by unanimous vote.

ARTICLE 30: CONTINUE REVOLVING FUND - MEMORIAL PARK

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues from Memorial Park food concessions, said funds to be used for improvements to the Memorial Park and to authorize the Memorial Park Trustees to expend money from said fund in fiscal year 1999 in the amount of \$4,100; or take any other action relative thereto.

Article 30 Explanation: This revolving fund has existed since fiscal year 1995. Revenues are from the Memorial Park food concessions. These funds are then used for the maintenance of the building and grounds including items such as paint, signs, locks and windows. A summary of M.G.L. Chapter 44, Section 53E ½ regarding revolving funds can be found following Article 29.

MOVED: That the Town vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues from Memorial Park food concessions, said funds to be used for improvements to the Memorial Park and to authorize the Memorial Park Trustees to expend money from said fund in fiscal year 1999 in the amount of \$4,100.

ACTION: so voted by unanimous vote.

ARTICLE 31: CONTINUE REVOLVING FUND - LOCAL TRANSPORTATION

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with local transportation including grant revenues from the MBTA Suburban Transportation Program and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$40,000; or take any other action relative thereto.

Article 31: Explanation: This fund allows the Council on Aging the ability to manage the fiscal portion of the transportation program for the Senior Citizens of the Town. All funds received from the MBTA, Roche Bros. / Sudbury Farms, and from various donations are deposited into this account. Expenses such as the transportation coordinator's salary, taxi service to and from the Senior Center six days a week, and the Shopper's bus which transports seniors for grocery shopping on a weekly basis, are paid for through this account. The entire transportation program costs are approximately \$35,000.00 annually. Because of the erratic schedule of reimbursement from the funding sources and the increasing demand for transportation services, the Council on Aging requests that the Fund be voted at \$40,000.00. A summary of M.G.L. Chapter 44, Section 53E ½: regarding revolving funds can be found following Article 29.

MOVED: That the Town vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with local transportation including grant revenues from the MBTA Suburban Transportation Program and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$40,000.

ACTION: so voted by unanimous vote.

ARTICLE 32: CONTINUE REVOLVING FUND: YARD WASTE PROCESSING PROGRAM

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 179 of the Acts of 1993 for the revenues and expenditures associated with the Yard Waste Processing Program and to authorize the Board of Selectmen through the Director of Public Works, to expend money from said fund in fiscal year 1999 in the amount of \$75,000; or take any other action relative thereto.

Article 32 Explanation and Summary of MGL Chapter 179: This revolving fund has existed since fiscal year 1994. In 1993, the Town received a \$180,000 wood waste grinding machine through a grant from the DEP. This machine processes certain types of yard waste. As a condition of receiving this grant, the Town was required to allow other municipalities to use this equipment. Participating communities pay into this revolving fund based on their daily use of the equipment. These funds are then used for the maintenance and upkeep of the equipment. Chapter 179 law authorizes the creation of an intergovernmental revolving fund by a town that is the lead community in the operation of a multi-community yard waste processing or recycling program. For a lead community to create the fund, its board of selectmen must vote to authorize it, must establish a limit on the total amount which may be spent from the fund for the first fiscal year and must designate the department responsible for operating the yard waste processing or recycling program. For future fiscal years Town Meeting sets the annual spending limit and designate the responsible department. The spending limit may be increased during the course of any fiscal year with the approval of the board of selectmen.

MOVED: That the Town vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 179 of the Acts of 1993 for the revenues and expenditures associated with the Yard Waste Processing Program and to authorize the Board of Selectmen through the Director of Public Works, to expend money from said fund in fiscal year 1999 in the amount of \$75,000.

ACTION: so voted by unanimous vote.

ARTICLE 33: CONTINUE REVOLVING FUND - HOME COMPOSTING BIN ACCOUNT

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the sale of home composting bins and authorize the Board of Selectmen, through the Director of Public Works, to expend money from such fund in fiscal year 1999 in the amount of \$2,900 for the purchase of additional bins and related costs; or take any other action relative thereto.

Article 33 Explanation: Through the efforts of the Board of Health and the Highway Division, the Town of Needham was granted a supply of home composting bins by the DEP. This grant serves as the "seed" money to generate revenue to continue the program. The DEP purchases the bins at a favorable cost and distributes the bins to the municipalities. The municipalities sell the bins at prices substantially below market value. The revenue from these sales are used to purchase additional bins through the DEP supplier bids.

MOVED: That the Town vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the sale of home composting bins and authorize the Board of Selectmen, through the Director of Public Works, to expend money from such fund in fiscal

for 1999 in the amount of \$2,900 for the purchase of additional materials and related costs.

ACTION: so voted by unanimous vote.

ARTICLE 35: ACCEPT M.G.L. CHAPTER 73, SECTION 4 OF THE ACTS OF 1986 (CONTINUATION OF INCREASE IN PROPERTY TAX EXEMPTION LIMITS)

To see if the Town will vote to accept, for fiscal year 1999, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions and approve an increase in the amount of 24% for each eligible exemption; or take any other action relative thereto.

Article 35 Explanation and Summary of M.G.L. Chapter 73, Section 4: Town Meeting approval of the additional exemption, as well as application of the exemption by the taxpayer, must be made annually. Approval was granted by the May 1993 Town Meeting. The Board of Selectmen has, each year, recommended that the exemption increase by the percentage increase in property taxes for the prior year. In fiscal year 1998 the exemption was 19%. Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws:

Clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 41A, 41B, 41C, 42, or 43.

The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer shall pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value.

MOVED: That the Town vote to accept, for fiscal year 1999, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions and approve an increase in the amount of 24% for each eligible exemption.

ACTION: so voted by unanimous vote.

ARTICLE 36: AUTHORIZATION TO EXPEND STATE FUNDS FOR WAYS

To see if the Town will vote to authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and authorize the expenditure of \$700,000 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

Article 36 Explanation: State law requires that Town Meeting approve the use of funds received from the State for road construction purposes including engineering or to address traffic improvements. At this time, the amount shown in the Article is an estimate of the amount expected from the State in

fiscal year 1999.

MOVED: That the Town vote to authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and authorize the expenditure of \$700,000 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

ACTION: so voted by unanimous vote.

ARTICLE 50: APPROPRIATE FOR HANDICAPPED RAMP CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$50,000 for the construction of handicapped ramps at various sidewalk locations, to be spent under the jurisdiction of the Board of Selectmen, and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow up to \$50,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 50 Explanation: On January 21, 1997, the State Architectural Access Board (AAB) issued the Town a Notice of Non-Compliance citing violations at 61 street/sidewalk locations that allegedly failed to meet handicapped access standards. The DPW challenged the specifics of this Notice at hearings held by the AAB in June and August, 1997. The culmination of the hearings was a reduction of the number of locations deemed to be in violation of AAB standards, and an order to the Town to construct 66 ramps at 46 locations. It is estimated that each ramp will cost \$2,500 for a total of \$165,000. Of this amount, \$75,000 can be financed with existing bond authorizations for sidewalk repair, with the difference proposed to be financed over a two year period from debt authorized pursuant to this request, and an additional \$40,000 request to be submitted next year.

MOVED: That the Town vote to raise and appropriate the sum of \$50,000 for the construction of handicapped ramps at various sidewalk locations, to be spent under the jurisdiction of the Board of Selectmen, and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow up to \$50,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7.

ACTION: so voted by unanimous vote.

ARTICLE 63: APPROPRIATE FOR STORM DRAIN IMPROVEMENTS

To see if the Town will vote to raise and appropriate the sum of \$30,000 for storm drain improvements, to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

Article 63 Explanation: Notwithstanding the fact that it is recommended that a storm drain master plan be developed before new storm drain projects are undertaken, there is an improvement project that should be considered before the plan is completed. The project involves the installation of additional storm drains on Grove Street, opposite Pine Hill Road. The need for this project is prompted by the identification of deficiencies in the street drainage following the construction of Pine Hill Road.

MOVED: That the Town vote to raise and appropriate the sum of \$30,000 for storm drain improvements, to be spent under the direction of the Board of Selectmen and raised from the tax levy.

ACTION: so voted by unanimous vote.

ARTICLE 70: APPROPRIATE FOR ROSEMARY POOL MAINTENANCE

To see if the Town will vote to raise and appropriate the sum of \$15,000 for maintenance to Rosemary Pool, to be spent under the direction of the Park and Recreation Commission, and raised from the tax levy; or take any other action relative thereto.

Article 70 Explanation: The funding in this Article is for the sandblasting of Rosemary Pool. The sandblasting of the steel; sheet piling is normally done every 5 - 8 years. Exterior sandblasting was last done in 1986; interior in 1989. After the pool is examined this spring the funding will be used to sandblast the area most in need.

MOVED: That the Town vote to raise and appropriate the sum of \$15,000 for maintenance to Rosemary Pool, to be spent under the direction of the Park and Recreation Commission, and raised from the tax levy.

ACTION: so voted by unanimous vote.

ARTICLE 73: RESCIND BOND AUTHORIZATION

To see if the Town will vote to rescind a part of certain authorizations to borrow funds, which were approved in prior years, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the amount approved:

Article 53, 1994 ATM (DPW Equipment)	\$76
Article 30, 1995 ATM (Newman)	\$536
Article 6, 1995 STM (High School Boilers)	\$370
Article 44, 1995 ATM (Fire Dept. Radio Equipment)	\$13,000
Article 41, 1996 ATM (DPW Equipment)	\$50

or take any other action relative thereto.

Article 73 Explanation: The above noted projects have been completed. It is necessary for Town Meeting to rescind the balances of the bond authorization so that these authorizations can be removed from the Town's financial records.

MOVED: That the Town vote to rescind a part of certain authorizations to borrow funds, which were approved in prior years, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the amount approved:

Article 53, 1994 ATM (DPW Equipment)	\$76
Article 30, 1995 ATM (Newman)	\$536
Article 6, 1995 STM (High School Boilers)	\$370
Article 44, 1995 ATM (Fire Dept. Radio Equipment)	\$13,000
Article 41, 1996 ATM (DPW Equipment)	\$50.

ACTION: so voted by unanimous vote.

ARTICLE 77: AMEND GENERAL BY-LAW SECTION 2.1.5 (ABSENCES BY MEMBERS OF APPOINTIVE COMMITTEES)

To see if the Town will vote to amend Section 2.1.5 of the General By-Laws by deleting paragraphs 2.1.5.1 and 2.1.5.2 in their entirety and replacing them with the following paragraphs:

"2.1.5.1 Definitions

For the purposes of this Section 2.1.5 the following words shall have the following meanings:

a) appointive committee: A committee, commission or board of the Town composed of members appointed by one or more appointing authorities and created by:

1. Town by-law,
2. vote of Town Meeting,
3. vote of a committee, commission or board of the Town, or
4. interdepartmental agreement.

b) Excessive absences: The failure to attend three or more consecutive meetings of the appointive committee.

c) Medical incapacity: The determination of a duly licensed medical doctor that the person is incapable of performing the duties of the office because of a lack of physical or mental capacity.

2.1.5.2 The appointing authority may remove and replace any person it has appointed to an appointive committee prior to the end of his or her term for excessive absences from committee meetings or because of medical incapacity, but only upon the written request of a majority of the remaining members of the appointive committee."

Or take any other action relative thereto.

Article 77 Explanation: The 1977 Annual Town Meeting approved a General By-Law to address those situations when a member is excessively absent from an appointive committee. The Attorney General rejected the by-law because the term "excessive absences" was not adequately defined. Town Counsel has redrafted the by-law with clear definitions.

MOVED: That the Town vote to amend Section 2.1.5 of the General By-Laws by deleting paragraphs 2.1.5.1 and 2.1.5.2 in their entirety and replacing them with the following paragraphs:

"2.1.5.1 Definitions

For the purposes of this Section 2.1.5 the following words shall have the following meanings:

a) appointive committee: A committee, commission or board of the Town composed of members appointed by one or more appointing authorities and created by:

5. Town by-law,
6. vote of Town Meeting,
7. vote of a committee, commission or board of the Town, or
8. interdepartmental agreement.

b) Excessive absences: The failure to attend three or more consecutive meetings of the appointive committee.

c) Medical incapacity: The determination of a duly licensed medical doctor that the person is incapable of performing the duties of the office because of a lack of physical or mental capacity.

2.1.5.2 The appointing authority may remove and

replace any person it has appointed to an appointive committee prior to the end of his or her term for excessive absences from committee meetings or because of medical incapacity, but only upon the written request of a majority of the remaining members of the appointive committee."

ACTION: so voted by unanimous vote.

ARTICLE 79: AMEND GENERAL BY-LAWS SECTION 1.2 POSTING OF TOWN MEETING WARRANT)

To see if the Town will vote to amend its General By-law by deleting Section 1.2 in its entirety and replace it with the following:

"Section 1.2 Notification

All Town Meetings shall be notified and warned by posting attested copies of the Warrant calling for the Town Meeting in not less than twenty public places in the Town at least seven days before the Annual Town Meeting and at least fourteen days before any Special Town Meeting."

Or take any other action relative thereto.

Article 79 Explanation: The current By-law is ambiguous and inconsistent with State law regarding the posting of the Warrant for a special town meeting. The proposed change would establish a 14 day posting requirement for a special town meeting, consistent with MGL Chapter 40 Section 10.

MOVED: That the Town vote to amend its General By-law by deleting Section 1.2 in its entirety and replace it with the following:

"Section 1.2 Notification

All Town Meetings shall be notified and warned by posting attested copies of the Warrant calling for the Town Meeting in not less than twenty public places in the Town at least seven days before the Annual Town Meeting and at least fourteen days before any Special Town Meeting."

ACTION: so voted by unanimous vote.

ARTICLE 81: AMEND GENERAL BY-LAWS (LIEN UNCOLLECTED SOLID WASTE CHARGES)

To see if the Town will vote to amend the General By-Laws by adding a new section 2.2.3.5 as follows:

"2.2.3.5 Municipal /Changes Lien. The Town, acting through its Board of Selectmen, shall impose a lien on real property located within the Town for any solid waste disposal fee or charge which has not been paid by its due date, in accordance with the provisions of MGL Chapter 40 Section 58."

And renumber subsequent sections accordingly.

Or take any other action relative thereto.

Article 81 Explanation: Effective in January 1998, the Town instituted a billing system for commercial haulers using the Recycling and Transfer Station. In addition, users disposing of certain bulky goods are invoiced for the disposal of these materials. This by-law, if adopted, will allow the Town to lien onto the property bill any unpaid solid waste disposal fee or charge.

MOVED: That the Town vote to amend the General By-Laws by adding a new section 2.2.3.5 as follows:

"2.2.3.5 Municipal /Changes Lien. The Town, acting through its Board of Selectmen, shall impose a lien on real property located within the Town for any solid waste disposal fee or charge which has not been paid by its due date, in accordance with the provisions of MGL Chapter 40 Section 58."

And renumber subsequent sections accordingly.

ACTION: so voted by unanimous vote.

ARTICLE 3: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

Mr. Karl H. Clauset, Jr., Chairman, presented a review on the progress of the Townwide Comprehensive Facility Study Committee. Unanimous consent was given to allow Mark Weisman, of Kaestle Boos Associates, the consultant engaged by the town to conduct the Townwide Comprehensive Facilities Study, and non-resident, to address Town Meeting. He reviewed briefly the Phase I problem analysis and needs assessment presented in a public hearing on March 30, 1998 and the presentation on alternative scenarios for the town's programs and facilities on April 16, 1998. The Committee is looking at several scenarios presented by Kaestle Boos Associates. A proposal will be presented at the Fall Special Town Meeting.

Mr. Mark Weisman advised that they are looking for participants and hoping for a consensus on the next logical step to be taken by the Town. There are multiple needs and categories and everything must be linked in the most cost effective fashion. Those not linked to another department include the Police Dispatch, Needham Public Library, Memory Park, and Rosemary pool.

The Capital Report of the Finance Committee was presented by Chairman John P. Ryan. Mr. Ryan explained that under the Town By-Laws the Town Administrator is required to prepare a five-year capital improvement plan. The Finance Committee is then responsible for reviewing the capital budget, making changes as it deems necessary, and reporting to the Town Meeting. Several debt management policies were reviewed. He explained that the Finance Committee's policy is that total debt service not exceed 10% of the town's gross revenues and that this year new debt not to exceed 3% of the general fund revenues. Gross revenues are estimated at approximately \$70 million for FY99. Thus debt should not exceed \$7 million.

ACTION: The Committee reports were accepted and the Moderator declared Article 3 disposed of.

Article 4 was unanimously adopted earlier this evening.

Article 5 was unanimously adopted earlier this evening.

At this time the Moderator proceeded with the remaining articles in the Warrant.

ARTICLE 6: AMEND ZONING BY-LAW - DESCRIPTION OF FLOOD PLAIN DISTRICTS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.3, by adding language to subparagraph (b) so that the entire subparagraph shall read as follows (new language underlined):

"(b) One hundred thirty-seven (137) feet above mean sea level westerly of the line described in the preceding paragraph (a) and also including all that land at or below elevation one hundred thirty-seven (137) feet mean sea level between Cartwright Road and the Needham-Wellesley town line and between Central Avenue and the Needham-Wellesley town line."

- (b) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the most easterly intersection of the Needham-Dover-Wellesley town lines and the Cochrane Dam that is at or below the following elevations:"

- (c) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to subparagraph (a) so that the entire subparagraph shall read as follows (new language underlined):

"(a) One hundred ten (110) feet above mean sea level between the most easterly intersection of the Needham-Dover-Wellesley town lines and a line projected perpendicular to the center line of the Charles River extending westerly from the Metropolitan District Commission sewer manhole, Station #43 + 33.20, seventy-eight hundred (7800) feet more or less G downstream."

- (d) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the Greendale Avenue Bridge easterly and northerly along the Charles River in Needham to the Needham-Wellesley town line that is at or below the following elevations:"

- (e) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to subparagraph (c) so that the entire subparagraph shall read as follows (new language underlined):

"(c) Ninety-one (91) feet above mean sea level between the Kendrick Street Bridge and the Sudbury Aqueduct."

- (f) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding a new sub-paragraph (d) to read as follows:

"(d) Seventy-five (75) feet above mean sea level between the Sudbury Aqueduct and the Needham-Wellesley town line. (Note: Add 105.64 feet to mean sea level elevations to determine elevations on Needham sewer base datum.)"

or take any other action relative thereto.

Article 6 Explanation: This article describes the geographical boundaries of those additional areas proposed to be placed in the Town's Flood Plain District. In order for residents of a community to be eligible to receive flood insurance, the community must agree to abide by the National Flood Insurance Program's minimum requirements for flood plain management. These modifications have been prepared to ensure compliance with the requirements of that program. The revisions place within the Town of Needham's Flood Plain District those areas designated as flood plain on the Federal Insurance Rate Maps and accompanying Flood Insurance Study which are not otherwise included within the Town's Flood Plain District.

The expanded Flood Plain District would include: (a) all that land sloping toward Fuller Brook at or below elevation one hundred thirty-seven (137) feet above mean sea level between Cartwright Road and the Needham-Wellesley town line; (b) all that land sloping toward the Charles River at or below elevation one hundred ten (110) feet above mean sea level between the intersection of the most easterly point of the Needham-Dover-Wellesley town lines situated on the northerly side of Charles River Street and the westerly side of Winding River Road; (c) all that land sloping toward the Charles River at or below elevation ninety-one (91) feet above mean sea level between the Highland Avenue Bridge and the Sudbury Aqueduct; and (d) all that land sloping toward the Charles River at or below elevation seventy-five (75) feet above mean sea level between the Sudbury Aqueduct and the Needham-Wellesley town line.

MOVED: That the Town vote to amend the Needham Zoning By Law, as follows:

- (a) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.3, by adding language to subparagraph (b) so that the entire subparagraph shall read as follows (new language underlined):

"(b) One hundred thirty-seven (137) feet above mean sea level westerly of the line described in the preceding paragraph (a) and also including all that land at or below elevation one hundred thirty-seven (137) feet mean sea level between Cartwright Road and the Needham-Wellesley town line and between Central Avenue and the Needham-Wellesley town line."

- (b) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the most easterly intersection of the Needham-Dover-Wellesley town lines and the Cochrane Dam that is at or below the following elevations:"

- (c) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.4, by adding language to subparagraph (a) so that the entire subparagraph shall read as follows (new language underlined):

"(a) One hundred ten (110) feet above mean sea level between the most easterly intersection of the Needham-Dover-Wellesley town lines and a line projected

perpendicular to the center line of the Charles River extending westerly from the Metropolitan District Commission sewer manhole, Station #43 + 33.20, seventy-eight hundred (7800) feet more or less downstream."

- d) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to the first sentence thereof so that the entire sentence shall read as follows (new language underlined):

"All that land along or sloping toward the Charles River between the Greendale Avenue Bridge easterly and northerly along the Charles River in Needham to the Needham-Wellesley town line that is at or below the following elevations:"

- e) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding language to subparagraph (c) so that the entire subparagraph shall read as follows (new language underlined):

"(c) Ninety-one (91) feet above mean sea level between the Kendrick Street Bridge and the Sudbury Aqueduct."

- f) In Section 2.3, Description of Flood Plain Districts, Subsection 2.3.7, by adding a new sub-paragraph (d) to read as follows:

"(d) Seventy-five (75) feet above mean sea level between the Sudbury Aqueduct and the Needham-Wellesley town line. (Note: Add 105.64 feet to mean sea level elevations to determine elevations on Needham sewer base datum.)"

Mr. Paul Killeen, member, addressed this proposal on behalf of the Planning Board,

At the request of Mr. Paul Killeen, the Moderator requested unanimous consent to discuss Articles 6 and 7 together and vote on separately. No objections were made and unanimous consent was given to discuss Articles 6 and 7 together and vote on separately.

After a brief discussion, a motion to move the previous question on Article 6 was offered by Mr. Ethan F. Fener. The motion was presented and carried by voice vote.

ACTION: The motion was presented and carried by the required two-thirds vote as declared by the Moderator.

ARTICLE 7: AMEND ZONING BY-LAW - FLOOD PLAIN DISTRICT REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- a) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.3, Uses Requiring a Special Permit, by adding a new sub-paragraph (h) to read as follows:

"(h) Any use permitted in the underlying district in which the land is situated, subject to the same use and development restrictions as may otherwise apply thereto, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals

shall refer each question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and shall not act until these agencies have reported their recommendations or 45 days have elapsed after such referral and no report has been received."

- (b) In Section 3.3, Uses in Flood Plain District, by changing the designation of the existing Subsection 3.3.5, National Flood Insurance Program (NFIP) Requirements, to Subsection 3.3.6 and by adding a new Subsection 3.3.5, General Provisions Relating to Flood Plain District, to read as follows:

"3.3.5 General Provisions Relating to Flood Plain District

- (a) All development in the Flood Plain District, including structural and non-structural activities, whether permitted by right or by special permit shall be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following: (i) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 3107.0, "Flood Resistant Construction"); (ii) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00); (iii) Inland Wetlands Restriction, DEP (currently 302 CMR 6.00); and (iv) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5). Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.
- (b) All subdivision proposals in the Flood Plain District shall be reviewed to assure that: (i) such proposals minimize flood damage; (ii) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and (iii) adequate drainage is provided to reduce exposure to flood hazards.
- (c) Base flood elevation data shall be provided for subdivision proposals or other developments of greater than 50 lots or 5 acres, within unnumbered A zones, as shown on the Flood Insurance Rate Map (FIRM) dated June 5, 1989.
- (d) Within areas designated Zone A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, as shown on the Federal Rate Insurance Map (FIRM), Floodway Map, and Flood Insurance Study dated June 5, 1989, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge."

or take any other action relative thereto.

Article 7 Explanation: This article would add certain conditions to the granting of special permits by the Board of Appeals under existing sections of the Zoning By-Law that relate to limited construction in a Flood Plain District. The conditions deal with base flood elevation and floodway data, existing state regulations pertaining to flood plain management, and National Flood Insurance Program standards, and are required under the National Flood Insurance Program. In addition, the article authorizes the Board of Appeals to issue a special permit on land designated as being within the Flood Plain District for any use otherwise permitted in the underlying zoning district in which the land is situated, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals would be required to refer each such question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and could not act until those agencies had reported their recommendations or 45 days had elapsed after such referral and no report had been received.

MOVED: That the Town vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 3.3, Uses in Flood Plain District, Subsection 3.3.3, Uses Requiring a Special Permit, by adding a new sub-paragraph (h) to read as follows:

"(h) Any use permitted in the underlying district in which the land is situated, subject to the same use and development restrictions as may otherwise apply thereto, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals shall refer each question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and shall not act until these agencies have reported their recommendations or 45 days have elapsed after such referral and no report has been received."

- (b) In Section 3.3, Uses in Flood Plain District, by changing the designation of the existing Subsection 3.3.5, National Flood Insurance Program (NFIP) Requirements, to Subsection 3.3.6 and by adding a new Subsection 3.3.5, General Provisions Relating to Flood Plain District, to read as follows:

"3.3.5 General Provisions Relating to Flood Plain District"

- (a) All development in the Flood Plain District, including structural and non-structural activities, whether permitted by right or by special permit shall be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following: (i) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 3107.0, "Flood Resistant Construction"); (ii) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00); (iii) Inland Wetlands Restriction, DEP (currently 302 CMR 6.00); and (iv) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5). Any variances from the provisions and requirements of the above referenced state regulations may only be

granted in accordance with the required variance procedures of these state regulations.

- (b) All subdivision proposals in the Flood Plain District shall be reviewed to assure that: (i) such proposals minimize flood damage; (ii) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and (iii) adequate drainage is provided to reduce exposure to flood hazards.
- (c) Base flood elevation data shall be provided for subdivision proposals or other developments of greater than 50 lots or 5 acres, within unnumbered A zones, as shown on the Flood Insurance Rate Map (FIRM) dated June 5, 1989.
- (d) Within areas designated Zone A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, as shown on the Federal Rate Insurance Map (FIRM), Floodway Map, and Flood Insurance Study dated June 5, 1989, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge."

ACTION: The motion was presented and carried by the required two-thirds vote as declared by the Moderator.

ARTICLE 8: AMEND ZONING BY-LAW - SITE PLAN REVIEW

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by revising the fifth paragraph thereof to read as follows (new language underlined):

"In the Center Business District, a MAJOR PROJECT is any construction project which creates or adds gross floor area; or any construction project which changes an exterior facade; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking or loading spaces. (For purposes of this section, facade change shall not include provision of awnings nor the replacement of windows and doors provided such items conform with the design standards as articulated in the 'Town of Needham, Design Guidelines for the Business District', dated August 15, 1995.)"

- (b) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by inserting a new tenth paragraph to read as follows:

"In the Center Business District, a MINOR PROJECT is any construction project which involves a change in the exterior facade of a building and the project is not a Major Project as defined by this By-Law."

or take any other action relative thereto.

Article 8 Explanation: This article would allow certain types of facade modifications in the Center Business District to be reviewed by the Planning Board as Minor Project Site Plans rather than Major Project Site Plans. Provision of awnings and the replacement of windows and doors would be afforded this shorter review period provided such changes conformed with the Town of Needham, Design Guidelines for the Business District", dated August 15, 1995.

MOVED: That the Town vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by revising the fifth paragraph thereof to read as follows (new language underlined):

"In the Center Business District, a MAJOR PROJECT is any construction project which creates or adds gross floor area; or any construction project which changes an exterior facade; or any project which involves a change in part or all of an existing building or lot from one use category to another as defined under Subsection 3.2.2 of this By-Law and which results in an increase in the number of required parking or loading spaces. (For purposes of this section, facade change shall not include provision of awnings nor the replacement of windows and doors provided such items conform with the design standards as articulated in the 'Town of Needham, Design Guidelines for the Business District', dated August 15, 1995."

- (b) In Section 7.4, Site Plan Review, Subsection 7.4.2, Definitions, by inserting a new tenth paragraph to read as follows:

"In the Center Business District, a MINOR PROJECT is any construction project which involves a change in the exterior facade of a building and the project is not a Major Project as defined by this By-Law."

Mr. Robert T. Smart, Jr., member, addressed this proposal on behalf of the Planning Board. He explained that the purpose of this article is to make it easier for businesses to install awnings, windows and doors. These would become minor projects instead of major projects under the Site Plan Review Process.

Mr. John H. Cogswell, Chairman, advised that the Board of Selectmen strongly support this proposal.

Unanimous consent was given to allow Mr. John Edgar, member of the Economic Development Advisory Committee, local businessman, and non-resident, to address Town Meeting. Mr. Edgar urged support of this proposal on behalf of the Committee.

In response to an inquiry from Mrs. Michele M. McQuillen, Mr. Edgar explained that this regulation relates only to the Needham center retail area and does not relate to other retail areas within the town.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 9: AMEND ZONING BY-LAW - ADULT USES OVERLAY DISTRICT REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation and category as follows:

"A U - Adult Uses"

- (b) In Section 3, Use Regulations, by inserting a new Subsection 3.5, Adult Uses Overlay Districts, to read as follows:

"3.5 Adult Uses Overlay Districts

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Establishment of Districts and Relationship to Underlying Districts

The Adult Uses Overlay Districts are established as districts which overlay the underlying districts so that any parcel of land lying in an Adult Use Overlay District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning By-Law.

3.5.3 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices,

objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as that term is defined in M.G.L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as herein defined.

3.5.4 Permitted Uses

- (a) All uses permissible and as regulated within the underlying district.

3.5.5 Special Permit Uses

The following uses are prohibited except upon the issuance of a Special Permit from the Board of Appeals: Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment. Such permit shall require specific improvements, amenities, and locations of proposed uses for which such permit may be granted.

3.5.6 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than 500 feet from a child-care facility, park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12, nor less than 700 feet from any residential district designated by this By-Law. The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.
- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states

shall be disseminated or available therein.

- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.
- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.
- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Sections 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:

- 1) There is a change in the location of the adult use;
- 2) There is a sale, transfer or assignment of the business or the license;
- 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.7 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.8 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

Or take any other action relative thereto.

Article 9 Explanation: A new Adult Uses Overlay District was established by this Article. Currently, the Town of Needham does not specifically regulate adult uses through zoning. Because they are not separately defined in the Needham Zoning By-Law today, an adult bookstore, adult video store, adult paraphernalia store, adult motion picture theater, or adult live entertainment establishment may be established under the same zoning procedures as any bookstore, video store, retail establishment, theater, or entertainment establishment. Therefore, by default, adult uses are allowed "as of right" in most of Needham's commercial districts -- including the center, squares and in close proximity to some residential neighborhoods. The zoning by-law modifications proposed under warrant Article 9 in combination with Article 10 would dramatically reduce the locations for adult uses and would require any such business to obtain a special permit from the Board of Appeals.

Adult uses have not been directly controlled through zoning up to this point partly because there has been very little market pressure for these uses to locate in Needham. In addition, the courts have only recently upheld adult use zoning controls. Even so, the courts will not allow a municipality to prohibit adult uses altogether, or regulate them based on a mere dislike for an adult use itself, or for the materials or products it presents or sells. Since regulation of adult uses has been successfully challenged as violating the right of free speech established by the First Amendment of the U.S. Constitution, it is extremely important that any proposed by-law be clearly tied to and constructed around the fundamental legal concepts and precedents already established by the courts.

To date, the U.S. Supreme Court has upheld regulation of adult uses through land use zoning in at least three landmark cases. The Planning Board has drafted the proposed by-law modifications under Articles 9 and 10 to comply with the federal and state legal requirements.

A community may require that adult uses be located away from residences, schools, parks and the like. Nonetheless, adult use zoning must allow a reasonable amount of a community's land area to remain available for potential adult use sites. The courts have upheld regulations that promote either a concentration of the uses in a few areas, or a scattering over a wide area. Because of Needham's development pattern and the desire to protect

residential areas in particular, the proposed modifications under articles 9 - 10 are designed to concentrate potential sites in one industrial area and away from predominately residential areas or defined neighborhoods.

The proposal, as contained in Article 9 in combination with Article 10, amends our Zoning By-Law to define certain "adult uses" and then limits the location of these uses to one area, away from residences, child-care facilities, parks, playgrounds, recreational areas, other adult uses, or establishments holding a liquor license under the provisions of M.G.L. Chapter 138, Section 12. The legislation: (1) Defines "adult bookstore", "adult video store", "adult paraphernalia store", "adult motion picture theater", and "adult live entertainment establishment". The definitions are drawn directly from the State Zoning Act, M.G.L. Chapter 40A, Section 9A. (2) Permits adult use in only a portion of one of the Town's sixteen (16) zoning districts and only after public hearings and the grant of a special permit. (See Article 10 for location of proposed Adult Use Overlay District). (3) Requires annual renewal of the special permit for an adult use. (4) Stipulates that an adult use must be 700 feet away from a residence zone and 500 feet away from a child-care facility, park, playground, recreational area where large numbers of minors regularly travel or congregate, another adult use, or any establishment with a liquor license. (5) Requires buildings containing an adult use to be consistent with the appearance of buildings containing similar (but not specifically "adult") uses in Needham, not employing unusual color or building design that would attract attention to the premises. (6) Prohibits the display of adult use materials in the windows of or on the building.

Application of the proposed by-law will allow the Town maximum control over adult uses, while still fulfilling the legal requirement to maintain a reasonable number of potential adult use sites.

Due to legal constraints, the regulation of adult uses through zoning does have its limitations - it only applies when an adult use is a "principal" use on a given site, and adult entertainment is regulated only if it is a "regular" part of an establishments business. Thus, a bookstore or video store that includes an accessory adult use is not specifically regulated (i.e., when an establishment does not focus primarily on adult-oriented use, and limits its adult-oriented inventory of products). The adult use zoning by-law also cannot be used to directly control a night club that presents a one-time live adult entertainment event, or a theater that may show an occasional adult film.

Despite these limitations, regulating adult uses through zoning does provide important benefits. It limits the location for adult uses, guiding establishments that are clearly adult-oriented away from the Town's residential neighborhoods, center, and squares. In addition, it establishes Town policy that may be enforced "up-front", before an actual use is established.

MOVED: That the Town vote to amend the Needham Zoning By-Law, as follows:

- (a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation and category as follows:

"AU - Adult Uses"

- (b) In Section 3, Use Regulations, by inserting a new Subsection 3.5, Adult Uses Overlay Districts, to read as follows:

"3.5 Adult Uses Overlay Districts

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that

the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Establishment of Districts and Relationship to Underlying Districts

The Adult Uses Overlay Districts are established as districts which overlay the underlying districts so that any parcel of land lying in an Adult Use Overlay District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning By-Law.

3.5.3 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as that term is defined in M.G.L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as herein defined.

3.5.4 Permitted Uses

- (a) All uses permissible and as regulated within the underlying district.

3.5.5 Special Permit Uses

The following uses are prohibited except upon the issuance of a Special Permit from the Board of Appeals: Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment. Such permit shall require specific improvements, amenities, and locations of proposed uses for which such permit may be granted.

3.5.6 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than 500 feet from a child-care facility, park, playground, or recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12, nor less than 700 feet from any residential district designated by this By-Law. The distance specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.
- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways, or from other areas, public or semi-public, outside such establishments.
- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in

similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.

- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Sections 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:
 - 1) There is a change in the location of the adult use;
 - 2) There is a sale, transfer or assignment of the business or the license;
 - 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.7 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.8 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

A motion was offered by Mr. John H. Cogswell to discuss Articles 9, 10, and 11 together and vote on separately. The motion was presented and carried unanimously by voice vote.

Mrs. Devra G. Bailin, Chairman, addressed these proposals on behalf of the Planning Board. She explained that the Supreme Court has ruled that municipalities cannot ban adult uses, but can designate specific areas under the local Zoning By-Laws. At present, there are no zoning regulations for adult uses in the Town of Needham. Therefore, by default, these uses are allowed in most of the commercial areas in Needham. Article 9 in combination with Article 10 would restrict the locations for adult uses. The Planning Board recommends adoption of Articles 9 and 10 - the overlay district - as the best selection for Needham. However, if Town Meeting votes down Articles 9 and 10, then the Planning Board recommends adoption of Article 11 - Adult Use Special Permit and Setback Regulations.

A motion to amend under Article 9 was offered by Mrs. Devra G. Bailin by adding to Section 3.5.6(i) the following subsection: "4) There is a violation of the Special Permit."

A motion to amend under Article 11 was offered by Mrs. Devra G. Bailin by adding to Section 3.5.6(i) the following subsection: "4) There is a violation of the Special Permit."

Mr. John H. Cogswell, Chairman, Board of Selectmen, advised that he has been working with the Planning Board for the past couple of years to develop regulations on adult use. He advised Town Meeting not to lose this opportunity to regulate adult uses.

Mr. David S. Tobin, Town Counsel, concurred with Mrs. Bailin and Mr. Cogswell.

The following amendment to Article 9 was offered by Mrs. Elsie Robinson:

1. Under Section 3.5.3 after the first paragraph, add the terms "substantial or significant portion" in these three sections which shall mean any of the following:

Twenty Percent (20%) or more of the business inventory or stock of merchandise for sale, rental, distribution, or exhibition during any period of time; or

Twenty Percent (20%) or more of the annual number of gross sales, rentals, or other business transactions; or

Twenty Percent (20%) or more of the annual gross business revenue;

2. Under Section 3.5.6, paragraph c, after the last word "establishments", add the words ", or from vehicles on Route 128 (Interstate 95)".;

3. Under Section 3.5.6, paragraph I, add a new subsection 5 as follows:

"If minors are to be involved.";

4. Under Section 3.5.6, add a new paragraph J as follows:

"If the adult use allows for the showing of films or videos within the premises, the booths in which the films or videos are viewed shall not be closed off by curtains, doors, or screens. All booths must be able to be clearly seen from the center of the establishment.";

5. Under Section 3.5.6, add a new paragraph K as follows:

"Private duty police security detail shall be paid for by the Adult Use Business as deemed necessary by the Needham Chief of Police."; and

6. Under Section 3.5.6, add a new paragraph L, as follows:

"Hours. No establishment providing adults goods or entertainment shall be open between 11:00 P.M. and 7:00 A.M. without a permit issued by the Board of Selectmen."

Mrs. Robinson explained that sections of this amendment came from several towns that have already adopted Adult Use zoning regulations.

Mrs. Devra G. Bailin explained that the Planning Board saw this amendment for the first time this evening and offered the following recommendations: It is prudent and wise that sections #1 and #4 of the amendment be sent back to the Planning Board so they may be the subject of a public hearing. The Planning Board has no objections to sections #2, 3, and 5, and do not believe that Section #6 (Hours) is necessary since the Zoning By-Laws already limit the hours of operation.

A motion to divide Mrs. Robinson's amendment into separate parts was offered by Mrs. Devra G. Bailin and she was joined by the required twenty voters under the town's General By-Laws Section 1.7. The Moderator indicated that the motion is so divided.

After a brief discussion, a motion to move the previous question under Articles 9, 10, and 11 was offered by Mr. Frederick Waldman. The motion was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented, and the Moderator was still in doubt as to the voice vote. The following Town Meeting Members were sworn in as tellers by the Moderator: Meredith P. Page, LeRoy J. Nutile, John F. Milligan, Foster S. Crook, Jonathan M. Davis, and Helen D. Jursek. The motion was again presented and carried by a count of hands. The hand count was Yes 199 - No 18.

Part 1 (Section 3.5.3) of Mrs. Robinson's motion to amend was presented, but it failed to pass by voice vote.

Part 2 (Section 3.5.6, paragraph c) of Mrs. Robinson's motion to amend was presented and carried unanimously by voice vote.

Part 3 (Section 3.5.6, paragraph I5) of Mrs. Robinson's motion to amend was presented and carried by voice vote.

Part 4 (Section 3.5.6, paragraph J) of Mrs. Robinson's motion to amend was presented, but it failed to pass by voice vote.

Part 5 (Section 3.5.6, paragraph K) of Mrs. Robinson's motion to amend was presented and carried by voice vote.

Part 6 (Section 3.5.6, paragraph L) of Mrs. Robinson's motion to amend was presented, but it failed to pass by voice vote.

Mrs. Bailin's motion to amend Article 9 was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by the required two-thirds vote as declared by the Moderator.

VOTED: That the Town vote to amend the Needham Zoning By-Law, as follows:

(a) In Section 2.1, Classes of Districts, by adding a new Overlay District designation and category as follows:

"A U - Adult Uses"

(b) In Section 3, Use Regulations, by inserting a new Subsection 3.5, Adult Uses Overlay Districts, to read as follows:

"3.5 Adult Uses Overlay Districts

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Establishment of Districts and Relationship to Underlying Districts

The Adult Uses Overlay Districts are established as districts which overlay the underlying districts so that any parcel of land lying in an Adult Use Overlay District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning By-Law.

3.5.3 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as that term is defined in M.G.L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as herein defined.

3.5.4 Permitted Uses

- (a) All uses permissible and as regulated within the underlying district.

3.5.5 Special Permit Uses

The following uses are prohibited except upon the issuance of a Special Permit from the Board of Appeals: Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment. Such permit shall require specific improvements, amenities, and locations of proposed uses for which such permit may be granted.

3.5.6 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than 500 feet from a child-care facility, park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12, nor less than 700 feet from any residential district designated by this By-Law. The distances specified above shall be measured by a straight line from the nearest property line of the

premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.

- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments, or from vehicles on Route 128 (Interstate 95).
- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.
- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Sections 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in

harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.

- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:

- 1) There is a change in the location of the adult use;
- 2) There is a sale, transfer or assignment of the business or the license;
- 3) There is any change in legal or beneficial ownership or management of the applicant;
- 4) There is a violation of the Special Permit;
- 5) If minors are to be involved.

- (j) Private duty police security detail shall be paid for by the Adult Use Business as deemed necessary by the Needham Chief of Police.

3.5.7 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.8 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

ARTICLE 10: AMEND ZONING BY-LAW - MAP CHANGE TO ADULT USES OVERLAY DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Adult Uses Overlay District all that land now zoned Industrial and lying between the Circumferential Highway, known as Route 128, and the centerline of the Charles River southeast of the MBTA right-of-way centerline and northwest of the present district boundaries along Highland Avenue said area bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of the Circumferential State Highway, known as Route 128, and the centerline of the Massachusetts Bay Transportation Authority (MBTA) right-of-way, thence running northeasterly by the MBTA right-of-way centerline to the intersection of the MBTA right-of-way centerline and the centerline of the Charles River (also known as the Town of Needham boundary line), thence turning and running southeasterly by the centerline of the Charles River to the intersection of the centerline of the Charles River and a line parallel

to and 100 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the centerline of the westerly end of Highland Circle, thence turning and running northwesterly by the centerline of the westerly end of Highland Circle to the intersection of the centerline of the westerly end of Highland Circle and a line parallel to and 200 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the northeasterly sideline of the Circumferential State Highway, known as Route 128, thence turning and running northwesterly by the northeasterly sideline of the Circumferential State Highway, known as Route 128, to the point of beginning.

Or take any other action relative thereto.

Article 10 Explanation: This Article describes the geographical boundaries of the new Adult Uses Overlay District which would generally include all that land now zoned Industrial and lying between the Circumferential Highway, known as Route 128, and the centerline of the Charles River southeast of the MBTA right-of-way centerline and northwest of the present district boundaries along Highland Avenue.

MOVED: That the Town vote to amend the Needham Zoning By-Law by amending the Zoning Map to place in the Adult Uses Overlay District all that land now zoned Industrial and lying between the Circumferential Highway, known as Route 128, and the centerline of the Charles River southeast of the MBTA right-of-way centerline and northwest of the present district boundaries along Highland Avenue said area bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of the Circumferential State Highway, known as Route 128, and the centerline of the Massachusetts Bay Transportation Authority (MBTA) right-of-way, thence running northeasterly by the MBTA right-of-way centerline to the intersection of the MBTA right-of-way centerline and the centerline of the Charles River (also known as the Town of Needham boundary line), thence turning and running southeasterly by the centerline of the Charles River to the intersection of the centerline of the Charles River and a line parallel to and 100 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the centerline of the westerly end of Highland Circle, thence turning and running northwesterly by the centerline of the westerly end of Highland Circle to the intersection of the centerline of the westerly end of Highland Circle and a line parallel to and 200 feet northwest of the northwesterly sideline of Highland Avenue, thence turning and running southwesterly by said parallel line to the northeasterly sideline of the Circumferential State Highway, known as Route 128, thence turning and running northwesterly by the northeasterly sideline of the Circumferential State Highway, known as Route 128, to the point of beginning.

ACTION: The main motion was presented and carried by a two thirds vote as declared by the Moderator.

ARTICLE 11 AMEND ZONING BY-LAW - ADULT USES SPECIAL PERMIT AND SETBACK REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

In Section 3, Use Regulations, by inserting a new Subsection 3.5 Adult Uses, to read as follows:

"3.5 Adult Uses

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as defined in M.G. L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as defined herein.

3.5.3 Adult Uses Not Allowed As-of-Right

Adult Uses are not included within the definition of retail

sales or services of "any other lawful business" permitted as-of-right or by Special Permit. In no instance shall an Adult Use be allowed as-of-right.

3.5.4 Adult Uses Allowed Only By Special Permit

Adult Uses are prohibited except as allowed by Special Permit issued by the Board of Appeals in those commercial and industrial zoning districts wherein the respective retail, theater, or entertainment use is permitted as-of-right or by Special Permit as set forth in Section 3.2 of this By-Law.

3.5.5 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than:

500 feet from a park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12;

700 feet from a child-care facility;

1,000 feet from any residential district designated by this By-Law.

The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.

- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.

- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.
- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers, employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.
- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:
 - 1) There is a change in the location of the Adult Use;
 - 2) There is a sale, transfer or assignment of the business or the license;
 - 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.6 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if

construction has not begun within one year of the date of grant, except for good cause.

3.5.7 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

Or take any other action relative thereto.

Article 11 Explanation: This Article proposes to establish controls on adult uses as defined in state law by imposing town wide off-set requirements from sensitive uses and a special permit process. The article is offered as an alternative approach to the overlay district plan contained in Articles 9 and 10. Adult bookstores, adult video stores, adult paraphernalia stores, adult motion picture theaters, and adult live entertainment establishments would be defined and would come under the proposed regulations. The amendment would establish a special permit procedure for approval of adult uses by the Board of Appeals in those commercial and industrial districts wherein the respective retail, theater, or entertainment use is permitted as-of-right or by special permit. In considering an application, adult uses would not be allowed: (1) Where there is a park, playground, recreational area where large numbers of minors regularly travel or congregate, another adult use, or any establishment with a liquor license within 500 feet; (2) Where there is a child-care facility within 700 feet; and (3) Where there is a residential district designated by this by-law within 1,000 feet.

Special permits would further be subject to annual renewal. Buildings containing an adult use would be required to be consistent with the appearance of buildings containing similar (but not specifically "adult") uses in Needham, not employing unusual color or building design that would attract attention to the premises. The display of adult use materials in the windows of or on the building would be prohibited. Applications for special permits would require information on the owner, partners, managers, number of employees, and other information.

The Planning Board believes that it is unlikely that an adult use will ever come to town for a variety of reasons. Nevertheless, state officials advise that it is wise for communities to adopt regulations. In this instance, the Planning Board believes that it is better to have the regulation and never need it than to need it and not have it.

MOVED: That the Town vote to amend the Needham Zoning By-Law, as follows:

In Section 3, Use Regulations, by inserting a new Subsection 3.5. Adult Uses, to read as follows:

"3.5 Adult Uses

3.5.1 Purpose and Intent

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that adult entertainment uses are distinguishable from other business uses and that the location of adult entertainment uses degrade the quality of life in the areas of the community where they are located, with impacts including increased levels of crime, blight, and late hours of operation resulting in noise and traffic late into the night. Therefore, this By-Law is enacted pursuant to M.G.L., Chapter 40A, Section 9 and Section 9A to serve the compelling Town interests by regulating and limiting the location of adult entertainment enterprises as defined herein. This regulation will promote

the Town of Needham's great interest in protecting and preserving the quality of its neighborhoods, commercial districts, and the quality of life through effective land use planning.

3.5.2 Definitions

The following terms shall be specifically applicable to the Adult Uses regulations and shall have the meanings provided below.

Adult Bookstore - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store - an establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store - an establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Motion Picture Theater - an enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G. L. Chapter 272, Section 31.

Adult Live Entertainment Establishment - any establishment which provides live entertainment for its patrons, which includes the display of nudity, as defined in M.G. L. Chapter 272, Section 31.

Adult Use - Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, and/or Adult Live Entertainment Establishment as defined herein.

3.5.3 Adult Uses Not Allowed As-of-Right

Adult Uses are not included within the definition of retail sales or services of "any other lawful business" permitted as-of-right or by Special Permit. In no instance shall an Adult Use be allowed as-of-right.

3.5.4 Adult Uses Allowed Only By Special Permit

Adult Uses are prohibited except as allowed by Special Permit issued by the Board of Appeals in those commercial and industrial zoning districts wherein the respective retail, theater, or entertainment use is permitted as-of-right or by Special Permit as set forth in Section 3.2 of this By-Law.

3.5.5 Special Permit Standards for Adult Uses

No Special Permit may be granted by the Board of Appeals

for an Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment unless the following conditions and limitations are satisfied:

- (a) No Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment may be located less than:

500 feet from a park, playground, recreational areas where large numbers of minors regularly travel or congregate, another Adult Use, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12;

700 feet from a child-care facility;

1,000 feet from any residential district designated by this By-Law.

The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the Adult Use is to be located to the nearest property line of any of the designated uses set forth herein.

- (b) No merchandise or services prohibited as obscene or indecent under any federal or Massachusetts law or regulation or found to be obscene by any superior or higher federal or state court in any of the New England states shall be disseminated or available therein.
- (c) No signs, graphics, pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater, or Adult Live Entertainment Establishment merchandise, or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of any Adult Bookstore, Adult Video Store, Adult Paraphernalia Store, Adult Motion Picture Theater or Adult Live Entertainment Establishment, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.
- (d) Appearance of buildings for Adult Uses shall be consistent with the appearance of buildings in similar (but not specifically 'adult') use in Needham, not employing unusual color or building design which would attract attention to the premises.
- (e) No Special Permit for an Adult Use shall be issued to any person convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. No Special Permit for an Adult Use shall be issued to any corporation, partnership, trust or any other legal entity if any of its directors, partners, trustees, principals, managers,

employees or beneficial owners have been convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A. If any person who is a director, partner, trustee, principal, manager, employee or owns a beneficial interest in such legal entity is convicted of violating M.G.L. Chapter 119, Section 63 or M.G.L. Chapter 272, Sections 28, 29, 29A, 29B, and 35A, the Special Permit shall terminate herewith.

- (f) Special Permits granted for Adult Uses shall be subject to the provisions of Section 7.5.2. Special Permits of this By-Law.
- (g) Special Permits granted for Adult Uses shall be subject to annual renewal.
- (h) Special Permits shall be granted for Adult Uses only upon determination of the Board of Appeals that the location and design of the facility are in harmony with its surroundings, and that adequate safeguards exist through licensing or other means to assure on a continuing basis that activities therein will not be patently contrary to prevailing standards of adults in the community and will not involve minors in any way.
- (i) A Special Permit issued under this Section shall terminate upon any one of the following occurrences:
 - 1) There is a change in the location of the Adult Use;
 - 2) There is a sale, transfer or assignment of the business or the license;
 - 3) There is any change in legal or beneficial ownership or management of the applicant.

3.5.6 Lapse of Special Permit

Any Special Permit granted under this section shall lapse within one year of the date of grant, not including the time required to pursue or await the termination of an appeal referred to in M.G.L. Chapter 40A, Section 17, if substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun within one year of the date of grant, except for good cause.

3.5.7 Severability

If any section or portion of this By-Law is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of the By-Law."

Mrs. Bailin's motion to amend was presented, but the Moderator was in doubt as to the voice vote. The motion to amend was again presented, but it failed to pass by voice vote.

ACTION: The main motion was presented but it failed to pass by

voice vote.

At 11:00 P.M. Mr. John H. Cogswell moved that the Annual Town Meeting stand adjourned to Wednesday, May 6, 1998 at 7:30 P.M. at the Pollard Middle School, and it was so voted unanimously.

Theodora K. Eaton, CMC/AAE
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 6, 1998

Pursuant to adjournment of the Annual Town Meeting held May 4, 1998, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School on Wednesday, May 6, 1998, at 7:30 P.M.

Check lists were used and 232 voters were checked on the list as being present, including 223 Town Meeting Members.

At the designation of Rabbi Carl M. Perkins, President of the Needham Clergy Association, Rabbi Dr. Rifat Sonsino, Temple Beth Shalom, gave the invocation.

The Moderator thanked Jennifer Tucker and Jordan Pransky for manning the microphones this evening.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Mr. John H. Cogswell, Chairman, Board of Selectmen, moved that the Annual Town Meeting stand adjourned until such time that the Special Town Meeting called for this evening at 7:30 P.M. is either adjourned or dissolved. It was so voted unanimously.

SPECIAL TOWN MEETING

May 6, 1998

Pursuant to a warrant issued by the Selectmen on April 14, 1998, this meeting was called for May 6, 1998 at 7:30 P.M. The call to the meeting and the Officer's Return were read by the Town Clerk.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Unanimous consent was given to omit the reading of the articles and to refer to them by number only. The same parliamentary rules as outlined for the Annual Town Meeting were adopted.

The Moderator announced that the proponents requested unanimous consent to withdraw Article 2. Town Meeting members indicated that there was no objection to the withdrawal of Article 2 and it was so voted.

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT - AFSCME (CUSTODIANS & MAINTENANCE WORKERS)

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and AFSCME Council 93, Local 335, and to recommend amending the necessary line items in the 1998 Operating Budget under Article 2 to fund same; or take any other action relative thereto.

MOVED: That the Town vote to approve the funding of a collective bargaining agreement between the Town and AFSCME Council 93, Local 335, and to recommend amending the necessary line items in

the 1998 Operating Budget under Article 2 to fund same.

Mr. Daniel P. Matthews, member, addressed this proposal on behalf of the Board of Selectmen.

A motion to amend was offered by Mr. Daniel P. Matthews to change the number of the Article in the motion from "2" to "3".

Mr. Richard S. Creem, Chairman, advised that the Personnel Board voted unanimously to fund this agreement.

Mr. John Ryan, Chairman, recommended adoption of this article on behalf of the Finance Committee.

A motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried unanimously by voice vote.

Mr. Matthews motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented, and carried by voice vote.

VOTED: That the Town vote to approve the funding of a collective bargaining agreement between the Town and AFSCME Council 93, Local 335, and to recommend amending the necessary line items in the 1998 Operating Budget under Article 3 to fund same.

ARTICLE 2: was previously withdrawn on May 6, 1998.

ARTICLE 3: AMEND THE FISCAL YEAR 1998 BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 5, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts:

Line Item	Appropriation	Changing From	Changing To
102	Selectmen, Purchase of Service	\$ 117,958	\$116,485
103	Selectmen, Expenses	16,800	18,300
208	Finance, Capital Outlay	21,900	26,650
211	Finance Comm., Reserve Fund	566,807	528,107
501	DPW, Salaries	2,321,792	2,344,792
503	DPW, Expenses	381,280	379,030
507	Building Maint., Salaries	1,665,512	1,701,712
508	Building Maint., Purch. of Service	1,191,477	1,181,477
509	Building Maint., Expenses	267,337	277,337
609	Youth Comm., Purchase of Service	2,140	2,400
610	Youth Comm., Expenses	2,650	2,390

and that the following item be partially funded in the following amount by a transfer from:

	Landfill Reserve Account	
501	DPW Salaries	23,000

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts

of the 1998 Operating Budget adopted under Article 20 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 5, by deleting the amounts of money appropriated under some of the line items and appropriating new amounts:

Line Item	Appropriation	Changing From	Changing To
102	Selectmen, Purchase of Service	\$ 117,958	\$116,485
103	Selectmen, Expenses	16,800	18,300
208	Finance, Capital Outlay	21,900	26,650
211	Finance Comm., Reserve Fund	566,807	528,107
501	DPW, Salaries	2,321,792	2,344,792
503	DPW, Expenses	381,280	379,030
507	Building Maint., Salaries	1,665,512	1,701,712
508	Building Maint., Purch. of Service	1,191,477	1,181,477
509	Building Maint., Expenses	267,337	277,337
609	Youth Comm., Purchase of Service	2,140	2,400
610	Youth Comm., Expenses	2,650	2,390

and that the following item be partially funded in the following amount by a transfer from:

	Landfill Reserve Account	
501	DPW Salaries	23,000

Mr. John P. Ryan, Chairman of the Finance Committee, addressed this proposal and presented a review of the line item changes.

Mr. John H. Cogswell, Chairman, recommended adoption of this proposal on behalf of the Board of Selectmen.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 4: AMEND THE FISCAL YEAR 1998 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 6, by deleting the amounts of money appropriated under some line items and appropriating or transferring from available funds new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
908	Salaries	\$544,560	570,560
910	Expenses	201,255	175,255

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the 1998 Water Enterprise Fund Budget adopted under Article 21 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 6, by deleting the amounts of money appropriated under some line items and appropriating or transferring from available funds new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
908	Salaries	\$544,560	570,560
910	Expenses	201,255	175,255

Mr. John P. Ryan, Chairman, reviewed the line item changes on behalf of the Finance Committee.

Mr. John H. Cogswell, Chairman, recommended adoption on behalf of the Board of Selectmen.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 5: AMEND THE FISCAL YEAR 1998 WASTEWATER ENTERPRISE FUND BUDGET (SEWER)

To see if the Town will vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 7, by deleting the amounts of money appropriated under some line items and appropriating or transferring new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
901	Salaries	\$425,196	405,196
906	Emergency Repairs	20,000	40,000

or take any other action relative thereto.

MOVED: That the Town vote to amend and supersede certain parts of the 1998 Wastewater Enterprise Fund Budget adopted under Article 22 of the 1997 Annual Town Meeting and amended at the November 1997 Special Town Meeting under Article 7, by deleting the amounts of money appropriated under some line items and appropriating or transferring new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
901	Salaries	\$425,196	405,196
906	Emergency Repairs	20,000	40,000

Mr. John P. Ryan, Chairman, reviewed the line item changes on behalf of the Finance Committee.

Mr. John H. Cogswell, Chairman, recommended adoption of this proposal on behalf of the Board of Selectmen.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 6: APPROPRIATE FOR LANDFILL CLOSURE

To see if the Town will vote to raise and appropriate the sum of \$1,800,000 for the closure and capping of the sanitary landfill, said sum to be spent under the direction of the Board of Selectmen, and raised from the Landfill Reserve Account; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of

\$1,800,000 for the closure and capping of the sanitary landfill, said to be spent under the direction of the Board of Selectmen, and raised from the Landfill Reserve Account.

Mr. John H. Cogswell, Chairman, addressed this proposal on behalf of the Board of Selectmen. He explained that \$500,000 of the \$1,800,000 will be held for any activities that the DP may require. If not required, then the \$500,000 would be available for landfill closure. The bid for the closure was \$2.8 million.

Mr. John P. Ryan, Chairman, recommended adoption on behalf of the Finance Committee.

In response to an inquiry from Mr. Everett E. Hicks, Mr. Cogswell explained that the cost of transferring town trash to Millbury is covered by the revenue generated from the disposal area ticker fee and paper-throw bags. These revenues do not cover the cost of the landfill closure.

After a brief discussion, a motion to move the previous question was offered by Mr. Frederick Waldman. The motion was presented and carried by voice vote.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 7: APPROPRIATE FOR STORM DRAIN SYSTEM ENGINEERING

To see if the Town will vote to raise and appropriate the sum of \$628,000 for plans and specifications in connection with improvements to the storm drain system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$628,000 for a period of up to five years under MGL Chapter 44, Section 7, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust or otherwise; or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate the sum of \$628,000 for plans and specifications in connection with improvements to the storm drain system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$628,000 for a period of up to five years under MGL Chapter 44, Section 7, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust or otherwise.

Mr. John H. Cogswell, Chairman, addressed this proposal on behalf of the Board of Selectmen.

Mr. John P. Ryan, Chairman, explained that this proposal is included in the projected debt financing reviewed previously and advised that the Finance Committee recommends adoption of this article.

In response to an inquiry from Mr. Steven Rosenstock, Mr. Cogswell explained that an engineering firm has not yet been selected for this project. An engineering firm will be selected through the required legal bidding process.

A motion to amend was offered by Mr. John H. Cogswell to add after the amount "\$628,000" the words "for engineering services", to delete the balance of the motion after the words "Chapter 44, Section 7," and to add in place thereof the words "/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project."

In response to an inquiry from Mr. Robert D. Friedman, Mr. Cogswell explained that the EPA requires a watershed analysis and at the same time this project will provide an analysis of the needs of the town for long range planning.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried by a two-thirds vote as declared by the Moderator.

VOTED: That the Town vote to raise and appropriate the sum of \$628,000 for engineering services for plans and specifications in connection with improvements to the storm drain system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$628,000 for a period of up to five years under MGL Chapter 44, Section 7, and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

At 8:45 P.M. the following Resolution was offered by Mr. John H. Cogswell on behalf of the Board of Selectmen:

RESOLUTION

In Memory of Herbert Lorain Dodge

WHEREAS, Herbert Lorain Dodge was born in Wellesley in 1902 and moved to Needham with his family when he was two, and

WHEREAS, Herbert Dodge attended the Needham Schools graduating in 1921 from the High School, and continued his education at Tufts University completing his engineering degree in 1925; and

WHEREAS, Herbert Dodge married Ruth Richardson on August 4, 1926 and they were parents of two sons, Carlton and Frank. He was a devoted, loyal husband and father; and

WHEREAS, The heritage of Needham has been built by residents who have given unselfishly of their time and talent; and

WHEREAS, Herbert Dodge used his expertise in serving the community in many ways over his ninety + years as a Needham resident - including membership on the traffic committee; as an elected Assessor for twenty-five years and a Town Meeting Member-At-Large for eight years; and

WHEREAS, Herbert Dodge loved Needham and was proud to be a part of its history;

NOW, THEREFORE, BE IT RESOLVED by this body that this Special Town Meeting be dissolved in honor of the civic contributions of Herbert Lorain Dodge.

ACTION: The Resolution was presented and carried unanimously by voice vote.

* * * * *

The Moderator called the Annual Town Meeting to order, declared a quorum to be present and requested the Town Clerk to so record.

Discussion commenced under Article 12

ARTICLE 12: ABANDONMENT OF CHESTNUT ROAD

To see if the Town will vote to abandon Chestnut Road as a public way, from Chestnut Street to Lincoln Street, in accordance with plans on file with the Town Clerk; or take any other action relative thereto.

Article 12 Explanation: This Article is part of the next phase for the planned reconstruction of the Chestnut Street and Lincoln Street parking lot. Adoption of this Article will help to establish a new layout of the parking spaces and thereby maximize the effective use of the area available including the Town owned parcels, the private parcels and the roadway area. In order to accomplish this new layout, the area comprising the public way known as Chestnut Road will need to revert back to a private way status.

MOVED: That the Town vote to abandon Chestnut Road as a public way, from Chestnut Street to Lincoln Street, in accordance with plans on file with the Town Clerk.

A motion to amend was offered by Mr. John H. Cogswell by deleting the word "abandon" and inserting in its place the word "discontinue" and to add at the end the words "said discontinuance shall not be effective until such time as the owners of the properties abutting the private way known as Chestnut Road waive any damages they may be entitled to because of the discontinuance of the public way and grant to the Town easements to use Chestnut Road for municipal parking lot and pedestrian mall purposes and to maintain the utilities therein."

Mr. John H. Cogswell, Chairman, addressed this proposal on behalf of the Board of Selectmen.

Mr. James G. Healy, member, advised that the Finance Committee recommends adoption of this proposal.

In response to an inquiry from Dr. Jonathan M. Davis, Mr. Maurice P. Handel, member of the Planning Board, advised that

new development on the property would not exceed 7200 square feet or 3600 square feet per floor.

After a brief discussion, the motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to discontinue Chestnut Road as a public way, from Chestnut Street to Lincoln Street, in accordance with plans on file with the Town Clerk; said discontinuance shall not be effective until such time as the owners of the properties abutting the private way known as Chestnut Road waive any damages they may be entitled to because of the discontinuance of the public way and grant to the Town easements to use Chestnut Road for municipal parking lot and pedestrian mall purposes and to maintain the utilities therein.

ARTICLE 13: TRANSFER OF LAND TO CONSERVATION COMMISSION - JAMES AVENUE

To see if the Town will transfer the care and control of land off of James Avenue, being a portion of Lot 1 and all of Lot 3 as shown on Assessors Map Number 35, now held by the Board of Selectmen for general purposes, to the Conservation Commission for conservation purposes; or take any other action relative thereto.

Article 13 Explanation: The 1997 Annual Town Meeting created a study committee to determine the future use of approximately four and one half acres of land off of James Avenue. The Committee is recommending that said parcel be transferred to the Conservation Commission to be maintained as conservation land.

MOVED: That the Town transfer the care and control of land off of James Avenue, being a portion of Lot 1 and all of Lot 3 as shown on Assessors Map Number 35, now held by the Board of Selectmen for general purposes, to the Conservation Commission for conservation purposes.

A motion to amend was offered by Mr. John H. Cogswell to delete the number "35" after the words "Assessors Map Number" and insert in place thereof the number "55".

Mr. John H. Cogswell moved to discuss Articles 13 and 14 together and vote on separately. The motion was presented and carried unanimously by voice vote.

Mr. Cogswell addressed this proposal on behalf of the Board of Selectmen and urged adoption of these articles.

Mr. James G. Healy, member, urged adoption of the proposals on behalf of the Finance Committee and expressed the importance of open space retention in the Town of Needham.

After a brief discussion, Mr. John D. Marr, Jr., Selectman, explained that this property has been the subject of discussion on a number of occasions. Because of its natural stream, there are major restrictions for any proposed building and should be placed under the Conservation Commission.

A motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried by voice vote.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by a count of hands. The hand count was Yes 174 - No 19.

VOTED: That the Town transfer the care and control of land off of Ames Avenue, being a portion of Lot 1 and all of Lot 3 as shown on Assessors Map Number 55, now held by the Board of Selectmen for general purposes, to the Conservation Commission for conservation purposes.

ARTICLE 14: TRANSFER OF LAND TO PARK AND RECREATION COMMISSION (GREENDALE AVENUE)

To see if the Town will vote to transfer the care and control of a portion of land located between 906 and 926 Greendale Avenue and shown as Lot C on Assessors Map 15, containing 3.07 ± acres, now held by the Board of Selectmen for general municipal purposes, to the Park and Recreation Commission for recreation purposes; or take any other action relative thereto.

Article 14 Explanation: The 1997 Annual Town Meeting created a study committee to determine the future use of approximately three acres of land off of Greendale Avenue. The Committee is recommending that said parcel be transferred to the Park and Recreation Commission to be used for recreation purposes.

MOVED: That the Town vote to transfer the care and control of a portion of land located between 906 and 926 Greendale Avenue and shown as Lot C on Assessors Map 15, containing 3.07 ± acres, now held by the Board of Selectmen for general municipal purposes, to the Park and Recreation Commission for recreation purposes.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 15: AMEND CLASSIFICATION AND STANDARD RATES OF COMPENSATION

To see if the Town will vote to amend the Classification and Standard Rates of Compensation Schedule in its entirety by substituting therefore a new Classification and Standard Rates of Compensation Schedule; or take any other action relative thereto.

Article 15 Explanation: In accordance with M.G.L. c.41 Section 108, the Town must annually adopt a classification and compensation schedule for general government employees other than employees covered by labor contracts. The Personnel Board recommends classification and compensation levels for non-represented employees, as well as classification levels for employees whose titles are contained in a bargaining unit. The rates of pay for the latter are set during the collective bargaining process and are incorporated into the classification and compensation schedule. All revisions to the Classification and Standard Rates of Compensation Schedule will be provided to Town Meeting Members before May 4, 1998.

MOVED: That the Town vote to amend the Classification and Standard Rates of Compensation Schedule in its entirety by substituting therefore a new Classification and Standard Rates of Compensation Schedule.

A motion to amend the Classification and Standard Rates

of Compensation Schedule in its entirety by substituting therefore a new Classification and Standard Rates of Compensation Schedule was offered by Richard S. Creem as follows:

FISCAL YEAR 1999 SCHEDULE A

Effective July 1, 1998

Full-time, part-time and seasonal position classifications with corresponding compensation schedules

<u>CLASS TITLE</u>	<u>GRADE/SCHEDULE</u>
Assistant to Town Administrator	NR-3
Assistant Town Engineer	NR-6
Activity Instructor	Schedule C
Administrative Assessor	M-2
Administrative Assistant	TS-3
Administrative Coordinator	TS-4
Administrative Specialist	TS-4
Animal Control Officer	PB-1
Animal Inspector	Schedule C
Assistant Administrative Assessor	PT-4
Assistant Cataloger	SS-3
Assistant Children's Librarian	SS-4
Assistant, Council on Aging	Schedule C
Assistant Director of Emergency Management	Schedule C
Assistant Director, Park and Recreation	PT-4
Assistant Director of Public Library	NR-6
Assistant Program Coordinator (PT)	Schedule C
Assistant Program Coordinator	NR-1
Assistant Superintendent	NR-5
Assistant Superintendent, Fire Alarm	FA-2
Assistant Town Administrator/Personnel Director	M-3
Assistant Town Clerk	TS-4
Assistant Treasurer/Collector	NR-5
Associate Director, Council on Aging	PT-4
Building Construction and Renovation Manager	M-3
Building Custodian	T-7
Building Inspector, Substitute	Schedule C
Building Monitor	Schedule C
Canvasser	Schedule C
Carpenter	AC-6
Chief Pumping Station Operator	W-7
Children's Supervisor	NR-4
Circulation Supervisor	SS-5
Clerk	Schedule C
Code Enforcement Officer	Schedule C
Committee Secretary	SS-3
Computer Operator	PT-1
Conservation Officer	Schedule C
Council on Aging, Executive Director	M-2
Craftsman	AC-5
Department Assistant 2	TS-2
Department Assistant 1	TS-1
Department Specialist	TS-3
Deputy Fire Chief	F-4
Deputy Fire Chief, Operations	F-4
Director, Management Information Systems	M-3
Director of Emergency Management	Schedule C
Director of Finance	M-4
Director of Parks & Recreation	M-2
Director of Public Health	M-3
Director of Public Library	M-3
Director of Public Works	M-5
Director of Veteran's Services	M-1

Director of Youth Services	M-2	Reference Supervisor	NR-
Division Superintendent, Highway	M-2	Registrar of Voters	Schedule C
Division Superintendent, Parks	M-2	Sealer of Weights of Measurers	NR-
Division Superintendent, Water & Sewer	M-3	Seasonal Packers/Drivers	Schedule C
DPW Director of Administrative Services	NR-5	Senior Administrative Coordinator	TS-
Election Clerk	Schedule C	Senior Building Custodian	T-1
Election Inspector	Schedule C	Senior Custodian	AC-
Election Warden	Schedule C	Senior Drafter	NR-
Electrician	AC-6	Senior Program Manager	M-
Environmental Health Agent	PT-5	Senior Systems Analyst	PT-
Equipment Mechanic 1	W-6	Social Worker	PT-
Equipment Mechanic 2	W-7	Special Maintenance	AC-
Finance Committee, Executive Secretary	Schedule C	Student Draftsman and Rodman	Schedule C
Fire Captain	F-3	Student Intern 1 - 4	Schedule C
Fire Chief	M-5	Supervisor of Custodial Services	NR-
Firefighter	F-1	Survey Party Chief	NR-
Fire Lieutenant	F-2	Systems Analyst	PT-
Garage and Equipment Supervisor	M-1	Technical Services Supervisor	NR-
General Maintenance	AC-3	Temporary Laborer	Schedule C
Heavy Motor Equipment Operator 1	W-5	Town Comptroller	M-
Heavy Motor Equipment Operator 2	W-6	Town Counsel	Schedule C
HVAC Technician	AC-6	Town Engineer	M-
Inspector of Buildings	M-2	Town Treasurer and Tax Collector	M-
Inspector of Plumbing and Gas	NR-4	Trades Assistant	Schedule C
Inspector of Wires	NR-4	Traffic Supervisor	Schedule C
Junior Building Custodian	T-5	Tree Climber	W-
Junior Custodian	AC-1	Warehouse Person	AC-
Laborer 1	W-1	Water Treatment Facility Manager	NR-
Laborer 2	W-3	Weighmaster	W-
Laborer 3	W-4	Wiring Inspector Substitute	Schedule C
Library Assistant	SS-2	Working Foreman	W-
Library Assistant (PT)	Schedule C	Youth Center Worker 1 - 5	Schedule C
Library Page	Schedule C		
Lineman	FA-1		
Local Building Inspector	NR-5		
Maintenance Worker/Custodian	NR-1		
Management Analyst	PT-5		
Master Mechanic	W-9		
MBMB Summer Employee	Schedule C		
Nutritionist	PT-3		
Outreach Worker, Council on Aging	PT-2		
Parking Clerk	Schedule C		
Parking Enforcement Attendant	S-6		
Personal Computer Specialist	Schedule C		
Planning Director	M-2		
Plumber	AC-6		
Plumbing and Gas Inspector Substitute	Schedule C		
Police Chief	M-5		
Police Lieutenant	P-3		
Police Matron	Schedule C		
Police Officer	P-1		
Police Sergeant	P-2		
Program Coordinator (PT)	Schedule C		
Program Coordinator	NR-2		
Program Manager	M-1		
Programmer/Computer Operator	PT-3		
Public Health Nurse	PT-5		
Public Safety Dispatcher	NR-1		
Public Works Craftworker 1	W-5		
Public Works Craftworker 2	W-6		
Public Works Inspector	W-7		
Public Works Specialist	W-6		
Pumping Station Operator	W-6		
Recording Secretary	Schedule C		
Recreation Specialist 1 - 5	Schedule C		
Reference Librarian/Audio Visual Specialist	NR-2		

SCHEDULE A STIPENDS

(Additional compensation for specific assignments)

- (1) Additional \$100.00 per month when assigned to and performing the duties of Assistant Director of Public Works.
- (2) Additional \$100.00 per month when assigned to and performing the duties of Office Manager as designated by the Director of Public Works.
- (3) Said Director shall be the Superintendent of Public Works within the meaning of Section 20 to 30, inclusive of the Needham Special Home Rule Charter Act (Acts of 1971, c. 403), and shall be appointed in the manner and shall exercise the powers and duties of such Superintendent specified in said act.
- (4) Additional \$75.00 per month when assigned to and performing the duties of Deputy Tree Warden.
- (5) Additional \$600.00 per year when assigned to and performing the duties of Worker's Compensation Agent.
- (6) Additional \$1,500.00 per year when assigned to and performing the duties of Assistant Parking Clerk.
- (7) May be designated confidential in accordance with M.G.L. Chapter 150E.
- (8) Additional \$1,200.00 when assigned to and performing the duties of Registered Land Surveyor as designated by the

Director of Public Works.

- 9) Additional \$1,200.00 when an employee other than the Finance Director is designated by the Board of Selectmen to be Chief Procurement Officer.

SCHEDULE C

Effective July 1, 1998

Rates for Part-time and Seasonal Positions

(rates are hourly unless specifically noted)

<u>TITLE</u>	<u>RATE</u>	<u>TITLE</u>	<u>RATE</u>
Activity Instructor (per session)(C01)		Recreation Specialist 1(C19)	\$6.60
Group A	\$5.00	Recreation Specialist 2 (C19)	\$7.50
Group B	\$7.00	Recreation Specialist 3 (C19)	\$8.11
Group C	\$8.00	Recreation Specialist 4 (C19)	\$9.00
Group D	\$10.00	Recreation Specialist 5 (C19)	\$11.14
Group E	\$12.00	#Registrar of Voters (per annum) (999)	\$545.00
Group F	\$15.00	Seasonal Packer/Driver (C21)	\$9.47
Group G	\$18.00	Student Draftsman and Rodman (C22)	
Group H	\$21.00	First Year	10.05
Group I	\$25.00	Second Year	\$10.49
Group J	\$28.00	Third Year	\$10.86
Animal Inspector (per annum) (999)	\$1,500.00	Fourth Year	\$11.28
Assistant, Council on Aging (C02)	\$10.80	Fifth Year	\$11.66
Asst. Dir. Of Emergency Management (999)	1,500.00	Student Intern 1 (C23)	\$6.99
Assistant Program Coordinator (PT) (C25)	12.20	Student Intern 2 (C23)	9.33
Building Inspector Substitute (C03)	\$15.42	Student Intern 3 (C23)	\$11.65
Building Monitor (C04)	\$8.20	Student Intern 4 (C23)	\$13.98
Canvasser (C05)	\$6.61	Temporary Laborer (C45)	
Clerk (PT) (C06)	\$10.80	First Year	\$6.69
Code Enforcement Officer (C07)	\$15.42	Second Year	\$7.17
Conservation Officer (C09)	\$15.42	Third Year	\$7.66
Director of Emergency Management(999)	2,000.00	Fourth Year	\$8.14
Election Clerk (EW1)	*	Fifth Year	\$8.71
Election Inspector (EW1)	*	Town Counsel (per annum) (999)	\$51,879.40
Election Warden (EW1)	*	Trades Assistant	
Finance Committee Exec. Sec. (per annum) (999)	\$14,303.93	First Year	8.50
Junior Building Custodian (PT) (C10)	\$9.91	Second Year	8.80
Library Assistant (PT) (C53)	10.40	Third Year	9.11
Library Page (C13)		Fourth Year	9.42
First Year	\$5.83	Traffic Supervisor (C50)	\$14.27
Second Year	\$6.19	#Wiring Inspector Substitute (D09)	
#Parking Clerk (999)	\$4,000.00	(per diem)	\$41.00
Personal Computer Specialist (C26)	\$27.74	(per inspection)	\$12.00
#Plumbing & Gas Inspector Substitute (D09)		#Youth Center Worker 1 (C51)	\$8.75
(per diem)	\$41.00	#Youth Center Worker 2 (C51)	\$9.38
(per inspection)	\$12.00	#Youth Center Worker 3 (C51)	10.00
Police Matron (C16)	\$14.27	#Youth Center Worker 4 (C51)	\$10.50
Program Coordinator (PT) (C17)	\$13.90	#Youth Center Worker 5 (C51)	\$11.00
Recording Secretary (C18)	\$13.40		

Titles not included in general wage increases.

* Rates set by Board of Selectmen

Management Salary Schedule
Effective July 1, 1998

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
M-5	70,354	72,888	75,512	78,230	81,044	83,963
M-4	62,377	64,624	66,951	69,360	71,858	74,415
M-3	54,189	56,138	58,161	60,255	62,425	64,672
M-2	50,135	51,938	53,809	55,744	57,752	59,860
M-1	43,105	44,656	46,265	47,929	49,774	51,455

Administrative/Support Salary Schedule
Effective 7/1/98

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
SS-5	29,731	30,780	31,867	32,993	34,162	35,372	36,433	37,161	37,905
SS-4	28,292	29,290	30,324	31,394	32,503	33,652	34,661	35,354	36,062
SS-3	24,542	25,402	26,296	27,222	28,181	29,177	30,204	31,271	32,209
SS-2	22,600	23,396	24,216	25,065	25,948	26,860	27,666	28,219	28,784
SS-1	19,255	19,927	20,622	21,344	22,092	22,866	23,668	24,501	25,360

Professional and Technical Salary Schedule/Non-Represented
Effective July 1, 1998

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
NR-8	45,759	47,404	49,113	50,879	52,712	54,607	56,573	58,613	59,785
NR-7	42,739	44,278	45,873	47,524	49,233	51,006	52,842	54,744	55,839
NR-6	39,925	41,363	42,852	44,394	45,994	47,649	49,366	51,140	52,163
NR-5	38,308	39,685	41,114	42,596	44,126	45,715	47,362	48,309	49,276
NR-4	34,232	35,465	36,741	38,063	39,433	40,853	42,324	43,848	44,726
NR-3	30,594	31,694	32,835	34,015	35,242	36,512	37,825	39,186	40,795
NR-2	29,362	30,418	31,514	32,647	33,824	35,040	36,301	37,608	38,361
NR-1	25,503	26,397	27,328	28,292	29,290	30,324	31,394	32,503	33,723

Mr. Richard S. Creem, Chairman, Personnel Board, addressed this article on behalf of the Personnel Board. Mr. Creem stated that the Personnel Board recommends adoption of the revised Classification and Standard Rates of Compensation which represents a 2 1/2% increase. He advised that this percentage is below the CPI of 2.82% and well below revenue growth of 4%.

Mr. John P. Ryan, Chairman, stated that the Finance Committee unanimously recommends adoption of Article 15. Mr. Ryan noted that the total cost of the revised schedule is \$144,765. With some of the costs coming from several enterprise funds, the net impact on the operating budget is \$135,124.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 16: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 1998 as required by the General Laws, Chapter 41, Section 108 and as recommended by the Personnel Board and subject to, in the case of the Town Clerk, the longevity provisions of Section 8.11.12 of the Consolidated Personnel By-Law.

Town Clerk: \$50,135

Town Clerk with Six Years of Service: \$59,860
Selectmen, Chairman: \$1,800
Selectmen, Others: \$1,500
Assessor, in Office as of 1/17/96: \$10
Assessor, not in Office as of 1/17/96: \$0

or take any other action relative thereto.

Article 16 Explanation: In accordance with M.G.L. c. 41 Section 108, the Town must annually vote to set the salary rates for any Elected Town officials who receive compensation. The Town Clerk's salary has been separated into two categories, a newly elected Town Clerk, and a Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. The annual stipends for the members of the Board of Selectmen have remained constant for the past few decades; the stipends for the members of the Board of Assessors were eliminated at the 1996 Annual Town Meeting. Members of the Board of Assessors in office at the time were grandfathered at a \$10 annual rate so that they could retain their health insurance benefits.

MOVED: That the Town vote to fix the compensation of the following elected officers of the Town as of July 1, 1998 as required by the General Laws, Chapter 41, Section 108 and as recommended by the Personnel Board and subject to, in the case of the Town Clerk, the longevity provisions of Section 8.11.12 of the Consolidated Personnel By-Law.

Town Clerk:	\$50,135
Town Clerk with Six Years of Service:	\$59,860
Selectmen, Chairman:	\$1,800
Selectmen, Others:	\$1,500
Assessor, in Office as of 1/17/96:	\$10
Assessor, not in Office as of 1/17/96:	\$0.

Mr. Richard S. Creem, Chairman, addressed this proposal on behalf of the Personnel Board. He explained that the position of Town Clerk is unique in that it is the only full time elected position in the Town of Needham responsible only to the electorate. The position, however, has been classified as an M2 as recommended by the town's personnel consultants. Mr. Creem advised that the Personnel Board recommends the M2 salary level for the position of Town Clerk and no increase for the the Selectmen and Assessors.

Mr. John P. Ryan, Chairman, advised that the Finance Committee unanimously recommends adoption of this proposal.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 17: AMEND CONSOLIDATED PERSONNEL BY-LAW

To see if the Town will vote to amend its Consolidated Personnel By-Law (Article VIII of the General By-laws of the Town of Needham) by:

1. amending Section 8.15.7, Vacation Leave Credit Allowance for New Employees, by deleting the words "department and division heads" and inserting in place thereof the words "non-represented employees"; and
2. amending Section 8.9.2, Emergency Appointments, by deleting the words "three (3)" and inserting in place thereof the words "six (6)";

or take any other action relative thereto.

Article 17 Explanation: The Personnel Board recommends that the Town Meeting adopt two changes to the Consolidated Personnel By-law. The first would allow the Board to grant accelerated vacation leave credit for all employees under its jurisdiction, not just department managers as is currently the case. The granting of additional vacation is an important recruitment tool, particularly with respect to recruiting professional staff. The Board also recommends that the time frame for emergency appointments be extended from three weeks to six weeks. The additional time is needed to allow department managers to bring in temporary staff while they recruit for permanent staff or otherwise resolve their particular staffing situation.

MOVED: That the Town vote to amend its Consolidated Personnel By-Law (Article VIII of the General By-laws of the Town of Needham) by:

1. amending Section 8.15.7, Vacation Leave Credit Allowance for New Employees, by deleting the words "department and division heads" and inserting in place thereof the words "non-represented employees"; and
2. amending Section 8.9.2, Emergency Appointments, by deleting the words "three (3)" and inserting in place thereof the words "six (6)".

Mr. Richard S. Creem, Chairman, recommended adoption of this proposal on behalf of the Board of Selectmen.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 18: APPROPRIATE FOR TAX WORK-OFF PROGRAM

To see if the Town will vote to raise and appropriate \$7,500 for the purpose of conducting a tax work-off program, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

Article 18 Explanation: In fiscal year 1996, the Town initiated a program whereby qualified elderly property owners and disabled individuals could work up to 100 hours for the Town. In turn, the individual was paid approximately \$500 which was applied to their property tax bill. The Selectmen would like to expand this program and, therefore, have requested to increase the appropriation from \$5,000 in FY98 to \$7,500 in FY99.

MOVED: That the Town vote to raise and appropriate \$7,500 for the purpose of conducting a tax work-off program, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

Mr. William M. Powers, Selectman, recommended adoption of this proposal on behalf of the Board of Selectmen.

Mr. John P. Ryan, Chairman, advised that the Finance Committee supports and recommends adoption of this article.

In response to an inquiry from Mrs. Sheila G. Pransky, Mr. Powers advised that withholding is now required on the amount earned under the tax work-off program.

In response to Mr. Tarallo's suggestion of increasing the individual amount to \$525, Mr. Powers indicated that the increase would decrease the number of individuals able to participate in the program.

ACTION: The main motion was presented and carried by voice vote.

ARTICLE 19: APPROPRIATE FOR HAZARDOUS WASTE COLLECTION DAY

To see if the Town will vote to raise and appropriate \$10,000 for the purpose of conducting a hazardous waste collection day, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

Article 19 Explanation: As a result of an Administrative Consent Order with the Department of Environmental Protection (DEP) related to the operation and closure of the sanitary landfill, the Town has agreed to request funding to conduct a Household Hazardous Waste Collection Day.

MOVED: That the Town vote to raise and appropriate \$10,000 for the purpose of conducting a hazardous waste collection day, said sum to be spent under the direction of the Board of Selectmen and raised from the tax levy; or take any other action relative thereto.

Mr. John D. Marr, Jr., Selectman, addressed this proposal

on behalf of the Board of Selectmen.

In response to an inquiry from Mrs. Lois C. Bacon, Mr. John H. Cogswell advised that the appropriation covers the cost of hiring hazardous waste specialists who come in and handle the hazardous waste.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 20 was adopted unanimously on May 4, 1998.

ARTICLE 21: ACCEPT MGL CHAPTER 32, SECTION 103 (COST OF LIVING PAYMENTS FOR RETIREES)

To see if the Town will vote to accept the provisions of Section 103 of Chapter 32 of the General Laws, as added by Section 8 of Chapter 17 of the Acts of 1997, an act relative to the annual cost-of-living adjustments to retirees; or take any other action relative thereto.

Article 21 Explanation: Chapter 32 Section 103 is a local option legislation. This statute reforms the method for granting Cost of Living Adjustments (COLA's) to municipal retirees. The legislation provides that the decision to grant a COLA will be made by the Local Retirement Board. On an annual basis, if the retirement board votes to adopt the COLA, eligible retirees and beneficiaries of the system will receive a COLA commencing in July of that year. The percentage of increase granted must be either the increase in the Consumer Price Index as determined by the Commissioner of Social Security, or three percent, whichever is less, and is calculated on a maximum retirement benefit of \$12,000.

There are no alternate provisions for providing a Cost of Living Adjustment to our Retirees.

Article 22, which follows, has been submitted via Citizen's Petition and also asks the acceptance of the same legislation.

MOVED: That the Town vote to accept the provisions of Section 103 of Chapter 32 of the General Laws, as added by Section 8 of Chapter 17 of the Acts of 1997, an act relative to the annual cost-of-living adjustments to retirees.

A motion to discuss articles 21, 22, and 23 together and vote on separately was offered by Mr. Daniel P. Matthews. The motion was presented and carried unanimously by voice vote.

Mr. Daniel P. Matthews explained that the Board of Selectmen recommends adoption of Articles 21 and 23 and not pass Article 22 after voting in favor of Article 21. He reviewed the history of the COLAs for retirees which has gone back and forth from the state to the municipalities. Article 21 is a local option. The State basically now wants the towns to take back the COLAs for retirees.

Article 23 allows the Board of Selectmen to file a Home Rule petition which would authorize Town Meeting to approve cost of living increases for members of the Needham Contributory Retirement System.

According to Mr. Matthews, the Board of Selectmen feels that while this legislation needs adjusting, we should go forward with this proposal. It is not fair for some communities to adopt this legislation and not other towns.

Mr. Thomas A. Welch II, member, recommended adoption of this proposal on behalf of the Needham Contributory Retirement Board.

Mr. Paul G. Smith, member, addressed this proposal on behalf of the Finance Committee. He explained that the Finance Committee spent a lot of time trying to understand this legislation. In the 1980s the town used a "pay-as-you-go" system and that's how the COLA was paid for on a yearly basis. Then it was decided that an amount would be determined and money would be put into a pool. Towns then started funding this liability. The unfunded liability can be paid over a thirty-year period. Mr. Smith noted that COLA is not only for current retirees, but also for future retirees. This year's cost is approximately \$122,000, but could increase substantially over the years. The Finance Committee recommends adoption of Article 21. He reminded Town Meeting that Article 23 does not give this Town Meeting authority to do anything. It only allows the Board of Selectmen to seek legislation granting Town Meeting authority to approve COLA increases.

Speaking in opposition of these articles were Martin L. B. Walter and Richard B. Weitzen.

Lois Sockol noted that it is important to afford retirees this increase. Retirees have the same expenses as non-retirees.

Unanimous consent was given to allow Mr. Daniel Sherman, non-resident and Needham Retirement Board's actuary, to address Town meeting. He advised that the COLA is 2.1% this year based on the cost of living and is the same as the Social Security increase this year. COLA is capped at 3% and that 3% is the worse case scenario.

After a brief discussion, a motion to move the previous question on all motions under Articles 21, 22, and 23 was offered by Mr. William R. Dermody. The motion was presented and carried unanimously by voice vote.

ACTION: The main motion was presented and carried by voice vote.

ARTICLE 22: ACCEPT MGL CHAPTER 32, SECTION 103 (COST OF LIVING PAYMENTS FOR RETIREES)

To see if the Town will vote to accept the provisions of Chapter 17 of the Acts of 1997, Section 103 an act relative to the annual cost of living adjustment for retired members of the Needham Contributory Retirement System; or take any other action relative thereto.

Article 22 Explanation: Under a 1997 state law (Chapter 17), Needham and other towns are provided the opportunity to accept a process whereby a cost of living adjustment (COLA) can be added to the pensions of former town employees on an annual basis. In accordance with the law, the Needham Retirement Board has taken the initial step, accepting the process. With the Board's action, the final decision rests with the Town Meeting on whether the process for paying a COLA, outlined in the law, will become effective in Needham.

If the law is accepted by Town Meeting, the process calls upon the Retirement Board to determine annually whether a COLA will be paid. In order to pay a COLA in a particular year, the Board must determine that it will not impair Needham from satisfying its obligation to fund its retirement system.

If the Board decides that a COLA can be paid in a particular year, the retirees will receive the same percentage increase as social security recipients.

For example, this year social security benefits increased by 2.1%; therefore, if accepted town retirees would receive the same percentage on the first \$12,000 of their pension. The percentage can not exceed 3%.

MOVED: That the Town vote to accept the provisions of Chapter 17 of the Acts of 1997, Section 103 an act relative to the annual cost of living adjustment for retired members of the Needham Contributory Retirement System; or take any other action relative thereto.

ACTION: The main motion was preented, but it failed to pass unanimously by voice vote.

ARTICLE 23: PETITION THE GENERAL COURT FOR SPECIAL LEGISLATION REGARDING COST OF LIVING PAYMENTS FOR RETIREES

To see if the Town will authorize and empower the Board of Selectmen to file a Home Rule Petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING NEEDHAM TOWN MEETING TO APPROVE COST OF LIVING INCREASES FOR MEMBERS OF THE NEEDHAM CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

SECTION 1. Any other provision of law not withstanding, the Town of Needham having accepted the provisions of Section 103 of Chapter 32 of the General Laws as added by Chapter 17 of the Acts of 1997, that any future cost of living adjustment elected or adopted by the Town of Needham Contributory Retirement Board shall not be effective and shall not be paid to any member, spouse or other beneficiary and shall not affect the amount of the fixed retirement allowance, pension or annuity for any present or future purposes until said adjustment is approved for that year by the Town, acting by its Town Meeting.

SECTION 2. This act shall take effect upon its acceptance by vote of the Town, acting by its Town Meeting.

Or take any other action relative thereto.

Article 23 Explanation: Massachusetts General Law Chapter 17 (the subject matter of Articles 21 and 22) transfers the responsibility of funding cost-of-living adjustments (COLA) for retirees to the Town's local retirement system. Since Proposition 2 1/2 was enacted, cost of living adjustments for retirees have been paid by the State. Section 103 permits the Town to make an irrevocable election to grant annual COLA's based on the federal consumer price index. Once this election has been made, any subsequent year the system will have been deemed to grant a COLA unless the Needham Retirement Board, not the Town Meeting, decides that the cost is too much of a burden on the funding schedule. Article 23 would permit the Board of Selectmen to file for Special Legislation that would, if approved, permit Town Meeting to make the determination to fund future COLA's.

MOVED: That the Town authorize and empower the Board of Selectmen to file a Home Rule Petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING NEEDHAM TOWN MEETING TO APPROVE COST OF LIVING INCREASES FOR MEMBERS OF THE

NEEDHAM CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

SECTION 1. Any other provision of law not withstanding, the Town of Needham having accepted the provisions of Section 103 of Chapter 32 of the General Laws as added by Chapter 17 of the Acts of 1997, that any future cost of living adjustment elected or adopted by the Town of Needham Contributory Retirement Board shall not be effective and shall not be paid to any member, spouse or other beneficiary and shall not affect the amount of the fixed retirement allowance, pension or annuity for any present or future purposes until said adjustment is approved for that year by the Town, acting by its Town Meeting.

SECTION 2. This act shall take effect upon its acceptance by vote of the Town, acting by its Town Meeting.

ACTION: The main motion was presented and carried by majority vote.

At 11:30 P.M. Mr. Thomas F. Soisson moved that the Annual Town Meeting stand adjourned to Monday, May 11, 1998 at 7:30 P.M. at the Pollard Middle School, and it was so voted unanimously.

Theodora K. Eaton, CMC/AEE,
Town Clerk

* * * * *

ADJOURNED ANNUAL TOWN MEETING

Monday, May 11, 1998

Pursuant to adjournment of the Annual Town Meeting held May 6, 1998, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School on Monday, May 11, 1998, at 7:30 P.M.

Check lists were used and 231 voters were checked on the list as being present, including 221 Town Meeting Members.

At the designation of Rabbi Carl M. Perkins, President of the Needham Clergy Association, Reverend Gordon C. Swan, Pastor, First Baptist Church, gave the invocation.

The Moderator suspended the meeting to introduce the President of the Richard Patton Melick Foundation, John F. Milligan. Mr. Milligan introduced Jean Lindblad and Laurence Eaton to present the Annual Award to Sally and Dale Wise and Sidney Dimond. The Moderator also noted that this foundation is helping to fund one of his projects, the publishing of a Town Meeting handbook.

The Moderator announced that Needham High School students are in attendance this evening as well as Fumiko Ishikawa, an AFS exchange student from Japan. He also requested a moment of silence in memory of Mr. Charles C. Wyckoff who passed away this weekend. Mr. Wyckoff was a long time Town Meeting Member, member of the School Committee, the Personnel Board and the Finance Committee. The Moderator thanked Jennifer Tucker and David DeLucca for manning the microphones this evening.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Mr. John H. Cogswell, Chairman, moved to advance Articles 46 and 47 prior to discussion of Article 24. The motion was presented and carried unanimously by voice vote.

ARTICLE 46: APPROPRIATE FOR HIGH SCHOOL GYM RENOVATION DESIGN

To see if the Town will vote to raise and appropriate the sum of \$10,000 for design specifications for renovations to the high school gym, to be spent under the direction of the Permanent Public Building Committee, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$10,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 46 Explanation: Prior to the October, 1996 rain storm, a capital request for renovation of the gym was submitted for funding. The conditions highlighted in that request as requiring attention were exacerbated by the October storm which caused the gym ceiling to collapse and warped the gym floor. While the floor was repaired, the ceiling has not been replaced. Further, the 1950's ventilation system requires upgrading and the poor lighting in the gym is barely acceptable for the interscholastic varsity sports program.

MOVED: That the Town vote to raise and appropriate the sum of \$210,000 for extraordinary repairs to the high school exterior, to be spent under the direction of the Municipal Building Maintenance Board, and that to meet this appropriation the Treasurer, with the

approval of the Board of Selectmen, is authorized to borrow up to \$210,000 for a period of up to 20 years under M.G.L., Chapter 44, Section 7.

A motion to refer the subject matter of Article 46 to the Permanent Public Building Committee for further study and the funds allocated to this article be transferred to the Reserve Fund was offered by Mr. John H. Cogswell. The motion was presented and carried unanimously by voice vote.

ARTICLE 47: APPROPRIATE FOR HIGH SCHOOL AUDITORIUM RENOVATION SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$18,000 for design specifications for renovations to the high school auditorium, to be spent under the direction of the Permanent Public Building Committee, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$18,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 47 Explanation: The High School Auditorium was scheduled for renovation as part of the 1988 building renovation project at the High School. Due to unanticipated asbestos removal costs, the Auditorium work was dropped from the project. Many of the components of the auditorium have not been modified or upgraded since they were installed in 1930. This request is to prepare design specifications for refinishing the stage; re-upholstering 586 seats; replacing the stage curtain, door hardware and carpeting; painting the walls and ceiling; updating sound and light systems; and rehabilitating the ventilation system and temperature controls.

MOVED: That the Town vote to raise and appropriate the sum of \$18,000 for design specifications for renovations to the high school auditorium, to be spent under the direction of the Permanent Public Building Committee, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$18,000 for a period of up to five years under M.G.L., Chapter 44, Section 7.

A motion to refer the subject matter of Article 47 to the Permanent Public Building Committee for further study and the funds allocated to this article be transferred to the Reserve Fund was offered by Mr. John H. Cogswell. The motion was presented and carried unanimously by voice vote.

ARTICLE 24: APPROPRIATE THE FY99 OPERATING BUDGET

To see what sums of money the Town will vote to raise and appropriate for the necessary Town expenses and charges;

or take any other action relative thereto.

MOVED: That the Town vote to raise and appropriate for the necessary Town expenses and charges.

The Moderator reminded Town Meeting Members of the adoption of the rule of practice that a motion to increase a line item must be offset by a decrease in another line item of the same dollar amount.

Mr. John P. Ryan, Chairman, presented an overview of the Finance Committee's recommended FY1999 budget. He reviewed

the procedures of the Finance Committee and Town Administrator in developing the FY1999 budget for the Town of Needham. Using a pie chart, he explained how the budget is broken down into various segments. He then explained how various departments were requested to prepare a level-funded budget. There were some additional funds available to be appropriated totaling \$1.45 million including \$325,281 to various departments, \$500,000 to the School Department, \$450,000 to cash acquisition of capital items, a little under \$61,000 for new debt service, and the Finance Committee is recommending a transfer of \$645,000 to the Reserve Fund.

Discussion continued under Article 24 (Operating Budget) with the following amendments offered by Mr. James G. Healy:

Line Item	Description	Changing From	Changing To
019	Contributory Retirement	\$2,100,000	\$2,574,000*
101	Board. of Selectmen, Salaries	300,952	310,296*
105	Town Clerk, Salaries	149,219	153,413*
109	Town Clerk, Canvassers	20,860	21,307*
110	Legal Salaries	50,808	52,078*
113	Personnel Board Salaries	1,733	1,776*
201	Assessors Salaries	226,044	229,013*
205	Finance Department Salaries	709,144	724,322
	to be raised in part by transfer of \$5,500 from the Parking Meter Fund.*		

Under Line Item 207, Finance Department, Expenses, to be raised in part by transfer of \$3,000 from the Parking Meter Fund.*

Line Item	Description	Changing From	Changing To
209	Finance Committee Salaries	13,907	14,255
211	Finance Committee Reserve	1,384,449	645,712*

Under Line Item 301, School Salaries, Mssrs. Jeffrey J. Simmons and Michael J. Hourigan, members, reviewed some of the highlights of this year's School budget. Mr. Simmons advised that of the \$26 million budget, \$22 million is salaries or 85% of the total School budget. The cost of living adjustment this year is either 2.5% or 2.7% depending on the union. He reminded Town Meeting Members that Special Education is a state mandate. He further noted that while Special Education costs have risen substantially as follows: 11% in FY96, 15% in FY97, 17% in FY98, and only 3% in FY99. This represents a major decrease in the growth rate and we hope to continue to contain costs in this area.

In response to an inquiry from Mr. Alan S. Fanger, Mr. Gerald A. Wasserman, member, advised that the School Committee and the Board of Selectmen, as well as several organizations, have been working to obtain additional state funding for Special Education. Education Reform has focused primarily on under-funded communities.

In response to an inquiry from Mr. Peter W. Adams, Mr. Michael J. Hourigan advised that the decrease from 17% to 3% is a result of retaining Special Education students within the system instead of sending them outside the system. Mrs. Candida P. Monteith stated that the Special Education teachers had 25 students and this year will have 40 students. This is not in the best interest of the community.

Discussion continued under Article 24 (Operating Budget) with the following amendments offered by Mr. James G. Healy:

Line Item	Description	Changing From	Changing To
401	Police Department Salaries	3,228,921	3,240,355*
	to be raised in part by transfer of \$20,000 from the Parking Meter Fund.*		
405	Fire Department Salaries	4,093,486	4,094,929*
409	Building Department Salaries	212,430	218,331*

A motion to amend under Line Item 409 to change the figure from "\$218,331" to "\$218,531" was offered by Mr. James G. Healy. The motion was presented and carried unanimously by voice vote.

501	Department of Public Works Salaries	1,986,982	2,049,571
	to be raised in part by transfer of \$26,500 from the Parking Meter Fund and \$77,357 from the Landfill Reserve Fund.*		
502	Department of Public Works POS	427,876	468,576*
503	Department of Public Works Expenses	307,255	281,555*
506	Municipal Building Maintenance Salaries	1,732,271	1,840,852*
507	Municipal Building Maintenance POS	1,333,633	1,354,633*
508	Municipal Building Maintenance Expenses	265,385	270,385*
510	Permanent Public Building Committee Salaries	65,330	66,963*
601	Board of Health Salaries	215,907	222,892*
605	Veterans Department Salaries	40,313	41,501*
605A	Veterans Department POS	0	150*
606	Veterans Department Expenses	3,500	3,350*
608	Youth Commission Salaries	130,400	132,890*
612	Council On Aging Salaries	181,600	187,344*
701	Planning Board Salaries	96,844	99,994*
705	Conservation Commission Salaries	14,435	14,796*
709	Board of Appeals Salaries	5,658	5,799*
801	Library Salaries	607,396	630,126*
806	Park and Recreation Salaries	291,599	298,160*

(* Unanimous)

ACTION: The main motion under Article 24 (Operating Budget) with the amendments thereto was then presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate for the necessary Town expenses and charges as follows:

TOWNWIDE EXPENSES:

010.	Street lighting	\$399,750.
011.	Garbage collection	97,000.
012.	Insurance, general	358,000.
013.	Health insurance	3,960,000.
014.	Worker's compensation	450,000.
015.	Prop. self insurance	20,000.
016.	Unemployment compensation	30,000.
017.	Maturing bonds	1,363,450.
018.	Interest	289,626.
019.	Contributory retirement	2,574,000.
020.	Chapter 32 retirement	170,000.
021.	Minuteman Voc. Assessment	482,914.
022.	MBTA Commuter Parking	95,500.

TOTAL: TOWN WIDE EXP. 10,290,240

GENERAL GOVERNMENT**BOARD OF SELECTMEN:**

101. Salaries	\$310,296
102. Purchase of Service	122,428
103. Expenses	18,220
104. Capital Outlay	<u>12,500</u>
TOTAL	463,444

TOWN CLERK/BOARD OF REGISTRARS

105. Salaries	153,413
106. Purchase of service	22,750
107. Expenses	4,025
108. Capital Outlay	2,000
109. Tellers/Canvassers/Details	<u>21,307</u>
TOTAL	203,495

LEGAL:

110. Salaries	52,078
111. Special Fees	135,000
112. Expenses	<u>5,000</u>
TOTAL	192,078

PERSONNEL BOARD:

113. Salaries	1,776
114. Purchase of Service	10,000
115. Merit Bonus	<u>7,500</u>
TOTAL	19,276

TOTAL: GENERAL GOVERNMENT 878,293

FINANCE**ASSESSORS:**

201. Salaries	229,013
202. Purchase of service	32,500
203. Expenses	14,500
204. Capital Outlay	<u>1,200</u>
TOTAL	277,213

FINANCE DEPARTMENT:

205. Salaries	724,322
(Raised by transfer of \$5,500. from the Parking Meter Fund and the balance of \$718,822. from the current tax levy)	
206. Purchase of Service	301,000
207. Expenses	99,070
(Raised by transfer of \$3,000. from the Parking Meter Fund and the balance of \$96,070. from the current tax levy)	
208. Capital Outlay	<u>76,400</u>
TOTAL	1,200,792

FINANCE COMMITTEE:

209. Salaries	14,255
210. Expenses	500
211. Reserve Fund	<u>645,712</u>
TOTAL	660,467

CONTRIBUTORY RETIREMENT:

212. Salaries	0.
213. Purchase of service	0.
214. Expenses	0.
215. Capital Outlay	<u>0.</u>

TOTAL: FINANCE 2,138,472

EDUCATION:**SCHOOL DEPARTMENT:**

301. Salaries	21,860,239
302. Purchase of Service	2,932,704
303. Expenses	865,006
304. Capital Outlay	<u>190,214</u>

TOTAL: EDUCATION 25,848,163

PUBLIC SAFETY**POLICE:**

401. Total Salaries	3,240,355
(Raised by transfer of \$20,000. from the Parking Meter Fund and the balance of \$3,220,355. from the current tax levy)	
402. Purchase of Service	44,792
403. Expenses	122,382
404. Capital Outlay	<u>161,200</u>
TOTAL	3,568,729

FIRE:

405. Total Salaries	4,094,929
406. Purchase of service	118,225
407. Expenses	143,675
408. Capital Outlay	<u>0.</u>
TOTAL	4,356,829

BUILDING:

409. Salaries	218,531
410. Purchase of service	1,500
411. Expenses	5,607
412. Capital Outlay	<u>800</u>
TOTAL	226,438

TOTAL: PUBLIC SAFETY 8,151,996

PUBLIC FACILITIES**PUBLIC WORKS:**

501. Salaries	2,049,571
(Raised by transfer of \$26,500. from the Parking Meter Fund; \$77,357. from the Landfill Reserve Fund, and the balance of \$1,945,714. from the current tax levy)	
502. Purchase of Service	468,576
503. Expenses	281,555
504. Capital Outlay	0
505. Snow & Ice	<u>150,000</u>
TOTAL	2,949,702

BUILDING MAINTENANCE:

506. Salaries	1,840,852
507. Purchase of Service	1,354,633
508. Expenses	270,385
509. Capital Outlay	<u>56,000</u>
TOTAL	3,521,870

PERMANENT PUBLIC BUILDING COMMITTEE:

510. Salaries	66,963
511. Expenses	800
512. Capital outlay	<u>1,500</u>
TOTAL	69,263

TOTAL: PUBLIC FACILITIES 6,540,835

HUMAN SERVICESBOARD OF HEALTH:

601. Salaries 222,892
 602. Purchase of service 68,241
 603. Expenses 8,050
 604. Capital Outlay 0

TOTAL 299,183

VETERANS' SERVICES:

605. Salaries 41,501
 605A. Purchase of Service 150
 606. Expenses 3,350
 607. Benefits 30,150
 TOTAL 75,151

YOUTH COMMISSION:

608. Salaries 132,890
 609. Purchase of Service 2,800
 610. Expenses 1,990
 611. Capital Outlay 0
 TOTAL 137,680

COUNCIL ON AGING:

612. Salaries 187,344
 613. Purchase of Service 2,050
 614. Expenses 4,125
 615. Capital Outlay 0
 TOTAL 193,519

COMMISSION ON DISABILITIES:

616. Expenses 513
 TOTAL 513

TOTAL: HUMAN SERVICES \$706,046

DEVELOPMENTPLANNING BOARD:

701. Salaries 99,994
 702. Purchase of Service 22,960
 703. Expenses 1,947
 704. Capital Outlay 0
 TOTAL 124,901

CONSERVATION COMMISSION:

705. Salaries 14,796
 706. Purchase of Service 3,249
 707. Expenses 1,150
 708. Capital Outlay 0
 TOTAL 19,195

BOARD OF APPEALS:

709. Salaries 5,799
 710. Purchase of Service 3,000
 711. Expenses 170
 TOTAL 8,969

HISTORICAL COMMISSION:

712. Expenses 513
 TOTAL 513

TOTAL: DEVELOPMENT 153,578

CULTURAL AND LEISURE SERVICESLIBRARY:

801. Salaries 630,126
 802. Purchase of Service 40,280
 803. Books & Periodicals 114,800
 804. Expenses 12,280
 805. Capital Outlay 0
 TOTAL 797,486

PARK & RECREATION:

806. Salaries 298,160
 807. Purchase of Service 43,278
 808. Expenses 24,347
 809. Capital Outlay 10,000
 TOTAL 375,785

MEMORIAL PARK:

811. Expenses 500
 812. Capital Outlay 0
 Total 500

TOTAL: CULTURAL & LEISURE SERVICES 1,173,771

GRAND TOTAL:

DEPARTMENT BUDGETS 55,881,394

ARTICLE 25: APPROPRIATE THE FY99 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from water receipts or transfer from the water enterprise fund the following sums of money to operate the Water Division of the DPW during fiscal year 1999; under the provision of G.L. Chapter 44, Section 53F 1/2:

		Expended FY97	Appropriated FY98	Recommended FY99
901	Salaries	\$490,542	544,560	606,743
902	Purchase of service	244,592	242,598	262,639
903	Expenses	188,691	201,255	201,255
904	Capital outlay	103,376	52,500	20,000
905	MWRA assessment	249,839	154,221	154,221
906	Emergency repairs	65,199	50,000	50,000
907	Debt service	312,013	478,011	780,000
	TOTAL	1,654,252	1,723,145	2,074,858

or take any other action relative thereto.

Article 25 Explanation: The Water Enterprise Fund budget is a self-supporting account. That is, water fees and charges cover the entire cost of operations. The increase in the salary line reflects a transfer of 1.5 staff from the Wastewater (Sewer) division to the Water Division. The increase in the Purchase of Service line is for higher energy costs and leak detection services.

MOVED: That the Town vote to raise and appropriate from water receipts or transfer from the water enterprise fund the following sums of money to operate the Water Division of the DPW during

fiscal year 1999; under the provision of G.L. Chapter 44, Section 53F ½:

		Expended FY97	Appropriated FY98	Recommended FY99
901	Salaries	\$490,542	544,560	606,743
902	Purchase			
	of service	244,592	242,598	262,639
903	Expenses	188,691	201,255	201,255
904	Capital			
	outlay	103,376	52,500	20,000
905	MWRA			
	assessment	249,839	154,221	154,221
906	Emergency			
	repairs	65,199	50,000	50,000
907	Debt			
	service	312,013	478,011	780,000
	TOTAL	1,654,252	1,723,145	2,074,858

A motion to amend was offered by Mr. John H. Cogswell as follows:

Line Item	Description	Changing From	Changing To
901	Salaries	606,743	614,955
902	Purchase of Service	262,639	251,991
903	Expenses	201,255	201,255
904	Capital Outlay	20,000	20,000
905	MWRA Assessment	154,221	154,221
906	Emergency Repairs	50,000	50,000
907	Debt Service	780,000	780,000
	Total	2,074,858	2,072,422

Mr. Cogswell explained that the amendment represents an increase in the Salary line item and a reduction in energy costs.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate from water receipts or transfer from the water enterprise fund the following sums of money to operate the Water Division of the DPW during fiscal year 1999; under the provision of G.L. Chapter 44, Section 53F ½:

		Expended FY97	Appropriated FY98	Recommended FY99
901	Salaries	\$490,542	544,560	614,955
902	Purchase			
	of service	244,592	242,598	251,991
903	Expenses	188,691	201,255	201,255
904	Capital			
	outlay	103,376	52,500	20,000
905	MWRA			
	assessment	249,839	154,221	154,221
906	Emergency			
	repairs	65,199	50,000	50,000
907	Debt			
	service	312,013	478,011	780,000
	TOTAL	1,654,252	1,723,145	2,072,422

ARTICLE 26: APPROPRIATE THE FY99 WASTEWATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from wastewater receipts or transfer from the wastewater enterprise fund the following sums of money to operate the Sewer Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F ½:

		Expended FY97	Appropriated FY98	Recommended FY99
908	Salaries	\$319,255	425,196	385,036
909	Purchase			
	of service	114,254	104,696	114,371
910	Expenses	66,925	59,300	72,070
911	Capital			
	outlay	0	30,000	0
912	MWRA			
	assessment	3,660,488	3,961,491	3,961,491
913	Emergency			
	repairs	71,833	20,000	20,000
914	Debt			
	service	515,000	624,540	910,000
	TOTAL	4,747,755	5,225,223	5,462,968

or take any other action relative thereto.

Article 26 Explanation: The Wastewater Enterprise Fund budget (Sewer Division) is a self-supporting account. That is, sewer use fees and charges cover the entire cost of operations. The decrease in the salary line reflects a transfer of 1.5 staff from the Sewer Division to the Water Division. The increase in the purchase of service line reflects higher energy costs. The increase in the expense line is for building related repairs and materials.

MOVED: That the Town vote to raise and appropriate from wastewater receipts or transfer from the wastewater enterprise fund the following sums of money to operate the Sewer Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F ½:

		Expended FY97	Appropriated FY98	Recommended FY99
908	Salaries	\$319,255	425,196	385,036
909	Purchase			
	of service	114,254	104,696	114,371
910	Expenses	66,925	59,300	72,070
911	Capital			
	outlay	0	30,000	0
912	MWRA			
	assessment	3,660,488	3,961,491	3,961,491
913	Emergency			
	repairs	71,833	20,000	20,000
914	Debt			
	service	515,000	624,540	910,000
	TOTAL	4,747,755	5,225,223	5,462,968

A motion to amend was offered by Mr. John H. Cogswell as follows:

Line Item	Description	Changing From	Changing To
908	Salaries	385,036	388,404
909	Purchase of Service	114,371	103,888

Line Item	Description	Changing From	Changing To
910	Expenses	72,070	62,070
911	Capital Outlay	0	38,250
912	MWRA Assessment	3,961,491	3,961,491
913	Emergency Repairs	20,000	20,000
914	Debt Service	910,000	910,000
	Total	5,462,968	5,484,103

Said sums to be raised as follows:

Wastewater Receipts	5,455,853
Transfer from Retained Earnings	28,250.

Mr. John H. Cogswell advised that the amendments represent a 2 1/2% salary increase and a reduction in energy costs.

Mr. Thomas F. Soisson questioned the status of placing the water and sewer charges under the Real Estate Tax in order to permit residents to take these charges as income tax deductions. Mr. Daniel P. Matthews, Selectman, advised that local option legislation is available, but under the tax laws, some residents would benefit while others would not. Mr. Matthews noted that the Board of Selectmen would present these options to Town Meeting.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate from wastewater receipts or transfer from the wastewater enterprise fund the following sums of money to operate the Sewer Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F 1/2:

	Expended FY97	Appropriated FY98	Recommended FY99
908 Salaries	\$319,255	425,196	388,404
909 Purchase of service	114,254	104,696	103,888
910 Expenses	66,925	59,300	62,070
911 Capital outlay	0	30,000	38,250
912 MWRA assessment	3,660,488	3,961,491	3,961,491
913 Emergency repairs	71,833	20,000	20,000
914 Debt service	515,000	624,540	910,000
TOTAL	4,747,755	5,225,223	5,484,103

Said sums to be raised as follows:

Wastewater Receipts	5,455,853
Transfer from Retained Earnings	28,250.

ARTICLE 27: APPROPRIATE THE FY99 SOLID WASTE/RECYCLING ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate from solid waste/recycling receipts or transfer from the Solid Waste /

Recycling Enterprise Fund the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F 1/2:

	Expended FY97	Appropriated FY98	Recommended FY99
915 Salaries	\$432,378	469,041	410,874
916 Purchase of service	891,971	1,130,200	1,226,440
917 Expenses	57,691	106,080	219,080
918 Capital outlay	0	0	0
919 Emergency repairs	0	0	0
920 Debt service	0	0	232,000
TOTAL	1,382,040	1,705,321	2,088,394

or take any other action relative thereto.

Article 27 Explanation: The Solid Waste / Recycling Fund budget is being presented as an Enterprise Fund for the first time in FY99. The direct costs of this enterprise fund are supported both by the property tax (approximately \$1,050,000) and user fees (approximately \$1,035,000). The increase in the purchase of service line is the result of additional solid waste disposal costs necessitated by the closing of the Town's landfill. The increase in the expenses line is related to costs associated with the pay-per-throw program. This budget does not include expenses related to the landfill closure nor any of the required and ongoing monitoring of the landfill. These are contained within the Highway Division operating budget.

MOVED: That the Town vote to raise and appropriate from solid waste/recycling receipts or transfer from the Solid Waste / Recycling Enterprise Fund the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F 1/2:

	Expended FY97	Appropriated FY98	Recommended FY99
915 Salaries	\$432,378	469,041	410,874
916 Purchase of service	891,971	1,130,200	1,226,440
917 Expenses	57,691	106,080	219,080
918 Capital outlay	0	0	0
919 Emergency repairs	0	0	0
920 Debt service	0	0	232,000
TOTAL	1,382,040	1,705,321	2,088,394

A motion to amend was offered by Mr. John H. Cogswell as follows:

Line Item	Description	Changing From	Changing To
915	Salaries	410,874	417,229
916	Purchase of Service	1,226,440	1,226,440
917	Expenses	219,080	219,080
918	Capital Outlay	0	0
919	Emergency Repairs	0	0
920	Debt Service	232,000	232,000
	TOTAL	2,088,394	2,094,749

Said sums to be raised as follows:

Solid Waste Receipts	1,040,749
Transfer from the Tax Levy	1,054,000.

A motion to amend was offered by Mr. John Gallelo as follows:

Line Item	Description	Changing From	Changing To
917	Expenses	<u>219,080</u>	<u>106,080</u>

TOTAL 1,975,394.

A motion to amend was offered by Mr. Robert D. Friedman to decrease line item 917 of the Solid Waste/Recycling Enterprise Fund budget as appearing in Article 27 by the sum of \$143,000, such that line item 917 now appropriates the sum of \$76,080.

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectmen. He advised that this Enterprise fund does include the Pay-Per-Throw program on non-recyclable material. The bag fee of \$.75 applies only to non-recyclables. The bags are non-reusable and can be burned at the waste facility. Bags are not required for yard waste. Hopefully, the new sticker fee in December will be reduced to \$45. He further noted that there is no mark-up on the bags. The total cost of the program is about \$2.7 million and comes from sticker fees, bags and commercial rates. This fund does not include closing and capping the disposal area, but continues to pay for the disposal area operating expenses.

Mr. John P. Ryan, Chairman, addressed this proposal on behalf of the Finance Committee. He advised that if Pay-Per Throw does not pass, there would be a significant increase in fees.

Unanimous consent was given to allow Mr. John Gallelo to withdraw his motion in favor of Mr. Friedman's motion to amend.

Mr. Friedman advised that the purpose of his amendment of decreasing Line Item 917 from \$2,191,080 to \$76,080 is to increase the sticker fee rather than commence a Pay-Per-Throw bag program. He indicated that there are compelling reasons against this program as follows:

- 1) The town already receives an "A" in recycling.
- 2) This program is self-inflicted.
- 3) None of the towns with which Needham compares have this program. Rather the more rural towns or towns with curbside pickup have adopted this program.
- 4) There will be major enforcement problems.

Mr. Friedman asked for favorable consideration on this motion to amend.

Mr. Theodore Weiner, resident, concurred with Mr. Friedman's amendment and expressed concern that this new program will open the door to many problems.

In response to several inquiries, Mr. Matthews advised that a good part of the bags have been purchased, the town has received a state grant, and received funding for this project. It would be difficult to change course at this time. The Board is committed to this program for two years.

Dr. Saul Adams noted that if a family uses two bags a week

and the cost of the sticker fee is \$45 that compares with a total fee of \$130.

A motion to move the previous question was offered by Mr. James Hugh Powers. The motion was presented, but it failed to pass by voice vote.

Unanimous consent was given to allow Mr. Richard Merson, Director of Public Works and non-resident, to address Town Meeting. In response to an inquiry from Mrs. Maureen McCaffrey, Mr. Merson advised that there is a plan for screening the disposal area, but it will not be implemented until the changes are completed.

After a lengthy discussion, a motion to move the previous question was offered by Mr. Eugene S. McMorrow. The motion was presented and carried by voice vote.

Mr. Friedman's motion to amend was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented, but it failed to pass by a count of hands. The hand count was Yes 87 No 114.

Mr. Cogswell's motion to amend was presented and carried by voice vote.

ACTION: The main motion, as amended, was presented and carried by majority vote.

VOTED: That the Town vote to raise and appropriate from solid waste/recycling receipts or transfer from the Solid Waste / Recycling Enterprise Fund the following sums of money to operate the Solid Waste and Recycling Division of the DPW during fiscal year 1999; under the provisions of G.L. Chapter 44, Section 53F 1/2:

	Expended FY97	Appropriated FY98	Recommended FY99
915 Salaries	\$432,378	469,041	417,229
916 Purchase of service	891,971	1,130,200	1,226,440
917 Expenses	57,691	106,080	219,080
918 Capital outlay	0	0	0
919 Emergency repairs	0	0	0
920 Debt service	0	0	232,000
TOTAL	1,382,040	1,705,321	2,094,749

Said sums to be raised as follows:

Solid Waste Receipts	1,040,749
Transfer from the Tax Levy	1,054,000

At 11:40 P.M. Mr. Gilbert W. Cox, Jr. moved that the Annual Town Meeting stand adjourned to Wednesday, May 13, 1998 at 7:30 P.M. at the Pollard Middle School, and it was so voted unanimously.

Theodora K. Eaton, CMC/A&E,
Town Clerk

a true copy
ATTEST:

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 13, 1998

Pursuant to adjournment of the Annual Town Meeting held May 11, 1998, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School on Wednesday, May 13, 1998, at 7:30 P.M.

Check lists were used and 217 voters were checked on the list as being present, including 210 Town Meeting Members.

At the designation of Rabbi Carl M. Perkins, President of the Needham Clergy Association, Reverend Mark Fowler, Pastor, Carter Memorial United Methodist Church, gave the invocation.

The Moderator announced that the family of the late Charles Wyckoff have requested that donations in his memory be made to the "Fund for Needham, Wyckoff Project". These funds will be used to further the preservation and dissemination of his life's work. The Moderator thanked Jennifer Tucker and Jordan Pransky for manning the microphones this evening. He also noted that Needham High School students studying Town Government are present this evening and he urged these students to meet with Town Meeting Members to learn about their responsibilities.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

ARTICLE 28: APPROPRIATE FOR SCHOOL TECHNOLOGY PLAN

To see if the Town will vote to raise and appropriate the sum of \$200,000 for school department computer hardware, other data processing equipment and computer software; to be spent under the direction of the School Committee; determine how said sum is to be raised; or take any other action relative thereto.

Article 28 Explanation: As required by the state, in support of the 1993 Education Reform Act, Needham Public Schools submitted a five year technology plan in the fall of 1996. It was approved by the Department of Education with commendation on our model for integrating technology in the classroom curriculum. There are three years left on the plan. The first two years were partially funded by state and local grants in the total of \$115,000. The operating budget funded the plan \$125,000 annually from the school operating budget. The FY99 appropriation of \$200,000 will purchase 100 new computer workstations. Existing workstations will be rotated with the goal to reach a ratio of 1 computer for every 5 students by the year 2001. Town Meeting will be requested for additional funding of \$300,000 for FY00, and \$400,000 for FY01.

MOVED: That the Town vote to raise and appropriate the sum of \$200,000 for school department computer hardware, other data processing equipment and computer software; to be spent under the direction of the School Committee; and determine how said sum is to be raised.

A motion to amend was offered by Mrs. Susan Welby as follows: By deleting the words "and determine how said sum is to be raised," and inserting in place therein the words "and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$200,000 for a period of up to five years, under M.G.L. Ch. 44 s. 7."

Mrs. Susan Welby, Chairman, addressed this proposal on behalf of the School Committee. At the request of Mrs. Welby,

unanimous consent was given to allow Mrs. Linda Conneely, Director of Media and Technology Services, and Paul Messias, Computer Network Specialist, both non-residents, to address Town Meeting. Mr. Stephen Theall, Assistant Superintendent and Needham resident, was also permitted to address Town Meeting.

Mr. Paul G. Smith, Vice Chairman, addressed this proposal on behalf of the Finance Committee. This article has been considered in with the Capital Budget Plan. He explained that the proposed expenditure for FY2000 is \$300,000 and for FY2001 is \$400,000. Mr. Smith noted that this proposal includes the purchase of approximately 108 computer workstations. Finance Committee recommends a look at the 5-year Technology plan every year and recommends adoption of this proposal.

Mr. Douglas Fitzgerald and Thomas Loughran, members of the Needham Taxpayers Association, addressed this proposal. Mr. Fitzgerald noted that other towns have purchased computer workstations for approximately \$750 - not \$1500. He also noted that the rate of students to computers in other towns is 10 to 1 while in Needham, the goal is 5 to 1. Mr. Loughran advised that the Needham Taxpayers Association recommends a "no" vote on this proposal.

After a lengthy discussion, Mr. James G. Healy, member of the Finance Committee, advised that this article was not initially included in the Capital Plan, but was added to the Capital Plan after many Finance Committee hearings. It is one of the Finance Committee's highest priorities. This is the future! Computers are required and are necessary. He urged support of this article.

A motion to move the previous question was offered by Mr. Frederick Waldman. The motion was presented and carried by voice vote.

Mrs. Welby's motion to amend was presented and carried by majority vote.

ACTION: The main motion, as amended, was presented and carried by the required 2/3 vote as declared by the Moderator.

VOTED: That the Town vote to raise and appropriate the sum of \$200,000 for school department computer hardware, other data processing equipment and computer software; to be spent under the direction of the School Committee; and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$200,000 for a period of up to five years, under M.G.L. Ch. 44 s. 7.

ARTICLE 29: CONTINUE REVOLVING FUND - SCHOOL BUSING

To see if the Town will vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E 1/2 for the revenues and expenditures from the School Department Fee-Based Busing Program and authorize the School Committee, through the Superintendent, to expend money from such fund in the amount of \$160,000 in fiscal year 1999; or take any other action relative thereto.

Article 29 Explanation and Summary of MGL Chapter 44, Section 53E 1/2: The Needham Public Schools provides transportation for a fee to all students who are in grades 7 - 12, Kindergarten After School Enrichment Program, Needham Extended Day Program, and those in grades K-6 who live within the 1.5 mile eligibility guideline. The fee is based on the number

of buses needed to serve this population of riders and the average cost per seat. The Revolving Fund supports the cost of buses, personnel, and limited program materials. All buses are contracted through a private bus company.

A revolving fund established under the provisions of G.L. Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited with only the departmental receipts received in connection with the programs supported by such revolving fund and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½.

The Annual Town Meeting authorization for each revolving fund shall specify:

- (1) the programs and purposes for which the revolving fund may be expended;
- (2) the departmental receipts which shall be credited to the revolving fund;
- (3) the board, department or officer authorized to expend from such fund; and
- (4) a limit on the amount which may be expended from such fund in the ensuing year.

In any fiscal year the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to MGL Chapter 59, section 23.

MOVED: That the Town vote to continue a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures from the School Department Fee-Based Busing Program and authorize the School Committee, through the Superintendent, to expend money from such fund in the amount of \$160,000 in fiscal year 1999.

Mrs. Susan Welby, Chairman, addressed this proposal on behalf of the School Committee and urged support of this proposal.

In response to an inquiry from Mr. Gerald R. Browne, Mr. James G. Healy, member of the Finance Committee, explained that enterprise funds were established two years ago and there was not much inquiry at that time. Beginning last year, however, the Finance Committee, began looking at these funds with great scrutiny. Enterprise funds are largely funded by fees and those fees are set by the Board of Selectmen. The Finance Committee is not in favor of Revolving funds because there is not as much scrutiny. Revolving funds only relate to a specific activity.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 30: was unanimously adopted on May 4, 1998.

ARTICLE 31: was unanimously adopted on May 4, 1998.

ARTICLE 32: was unanimously adopted on May 4, 1998.

ARTICLE 33: was unanimously adopted on May 4, 1998.

ARTICLE 34: ESTABLISH REVOLVING FUND-HUMAN

RIGHTS COMMISSION INVESTIGATION ACCOUNT

To see if the Town will vote to establish a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the Human Rights Commission Investigation Account, and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$6,000; or take any other action relative thereto.

Article 34 Explanation: The Human Rights Commission (HRC), through the Board of Selectmen, will be entering into an agreement with the Massachusetts Commission on Discrimination (MCAD) to arbitrate discrimination complaints filed by Needham residents against private parties. The MCAD will reimburse the HRC for expenses associated with hearing these complaints.

MOVED: That the Town vote to establish a revolving fund account pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the revenues and expenditures associated with the Human Rights Commission Investigation Account, and authorize the Board of Selectmen, through the Town Administrator, to expend money from such fund in fiscal year 1999 in the amount of \$6,000.

Mr. Paul Theodore Owens, Selectman, addressed this proposal on behalf of the Board of Selectmen.

After a brief discussion, Mr. Michael T. Vaughn, Member, advised that the Human Rights Commission has received one complaint and served as moderator.

A motion to move the previous question was offered by Mr. Frederick Waldman. The motion was presented and carried by voice vote.

ACTION: The main motion was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by a count of hands. The hand count was Yes 123 No 63.

ARTICLE 35: was unanimously adopted on May 4, 1998.

ARTICLE 36: was unanimously adopted on May 4, 1998.

ARTICLE 37: ACCEPT MGL CHAPTER 80 SECTION 13B

To see if the Town will vote to accept, for fiscal year 1999, the provisions of M.G.L. Chapter 80 Section 13B to provide that the town may defer payments of betterments for homeowners who are eligible for real estate tax exemptions under MGL Chapter 59, Section 5, clause 41A; or take any other action relative thereto.

Article 37 Explanation: The Board of Selectmen and Board of Health are recommending the acceptance of this law to allow certain low income elderly residents to defer the payment of betterment assessments. In Needham, betterment assessments are primarily limited to sewer connection betterments and septic improvement betterments. To be eligible for the deferral the applicant must be the owner, over 65 years of age, have owned and occupied property in Massachusetts for 5 years, have lived in Massachusetts for the preceding 10 years and in the year preceding application have a gross annual income not to exceed \$30,000. Total apportioned and deferred betterment payments (and taxes if applicable), together with interest accrued, may not exceed 50% of the owners interest in the assessed value of the property.

MOVED: That the Town vote to accept, for fiscal year 1999, the provisions of M.G.L. Chapter 80 Section 13B to provide that the town may defer payments of betterments for homeowners who are eligible for real estate tax exemptions under MGL Chapter 59, Section 5, clause 41A.

Mr. William M. Powers, Selectman, addressed this proposal on behalf of the Board of Selectmen. He explained that under this law, homeowners could defer betterment payments if age 65 or older.

Mr. Paul G. Smith, member, recommended adoption of this proposal on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 38: TRANSFER OF UNDESIGNATED FUND BALANCE

To see if the Town will vote to transfer \$1,968,754 from the Undesignated Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in their computation of the tax rate for the fiscal year 1999; or take any other action relative thereto.

Article 38 Explanation: *Undesignated fund balance is the result of unexpended appropriations and revenue in excess of estimates from fiscal year 1997. It also includes the collection of previously delinquent taxes.*

MOVED: That the Town vote to transfer \$1,968,754 from the Undesignated Fund Balance Account (Free Cash) to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such sum as available funds to meet appropriations in their computation of the tax rate for the fiscal year 1999.

Mr. John P. Ryan, Chairman, addressed this proposal on behalf of the Finance Committee. He explained that the undesignated fund balance (or Free Cash) is comprised of actual revenues beyond projections and come from Fiscal Year 1997 and must be certified by the Department of Revenue. The Finance Committee recommends adoption of this article.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 39: APPROPRIATE FOR ROOF REPLACEMENT - HIGH SCHOOL

To see if the Town will vote to raise and appropriate the sum of \$575,000 to replace portions of the High School roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$575,000 for a period of up to 20 years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 39 Explanation: *A recently completed survey and evaluation of all school building roofs performed by a consultant engineer indicates the urgent need to replace many of the flat roof sections at the Needham High School. In most cases, the roof areas in question are not the original roofs, but either rubber membrane or polyvinyl chloride/plastic membrane replacement roof systems. These membrane roofs have expanded and*

contracted beyond their serviceable lives. They contain rips, tears and holes and are in a dangerously deteriorated condition in critical flashing and drainage areas. The risk associated with not repairing these roofs promptly is two-fold: (1) potential damage to the building structure and building contents and (2) potential threat to public safety from ceiling collapse in selected areas (e.g., the Auditorium).

MOVED: That the Town vote to raise and appropriate the sum of \$575,000 to replace portions of the High School roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$575,000 for a period of up to 20 years, under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. Daniel P. Matthews by adding an emergency preamble as follows: "This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative." Further that the sum set forth in the article be increased from "\$575,000" to "\$860,000".

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectmen.

Mr. John P. Ryan, Chairman, stated that the Finance Committee thought the cost would be much higher and recommends adoption of this article.

Mr. Matthews' motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$860,000 to replace portions of the High School roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$860,000 for a period of up to 20 years, under M.G.L. Chapter 44, Section 7. This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

ARTICLE 40: APPROPRIATE FOR ROOF REPLACEMENT - DPW BUILDING

To see if the Town will vote to raise and appropriate the sum of \$250,000 to replace the DPW roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$250,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 40 Explanation: *The roof on the DPW building failed in January 1998 following a storm. A roofing engineer was brought in to assess the roof and determine whether it should be repaired or replaced. The engineer recommended that the entire roof (23,160 square feet) be removed down to the structural deck and that a built up style roof be installed. This \$250,000 estimate includes the cost for design specifications, construction and project management.*

MOVED: That the Town vote to raise and appropriate the sum of \$250,000 to replace the DPW roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$250,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7.

A motion to amend was offered by Mr. Paul Theodore Owens by striking out the amount "\$250,000" wherever it appears and inserting in place thereof the amount "\$275,000".

Mr. Ronald Culgin, member, recommended adoption of this proposal on behalf of the Finance Committee.

Mr. Richard B. Weitzen suggested a cheaper alternative to the roof repair of the Public Works building since this building could undergo major renovation under one of the Kaestle Boos scenarios.

After a brief discussion, the motion to amend was presented and carried by a majority vote.

ACTION: The main motion, as amended, was presented and carried by the required 2/3 vote as declared by the Moderator.

VOTED: That the Town vote to raise and appropriate the sum of \$275,000 to replace the DPW roof, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$275,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7.

ARTICLE 41: APPROPRIATE FOR MECHANICAL SYSTEM REPAIR - HILLSIDE SCHOOL BOILER

To see if the Town will vote to raise and appropriate the sum of \$150,000 to replace the Hillside School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$150,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 41 Explanation: At the FY97 Annual Town Meeting, \$125,000 was appropriated for repair of the High School Boiler Feed System. This represented year one of a proposed four year plan to repair mechanical systems in school buildings. The Hillside boiler represents year two of that plan. At present, one of the two boilers at the Hillside School is inoperable. It was installed in 1961 and has reached its life expectancy. The school heating plant was designed to operate on a two boiler, "lead/lag" system. With one boiler inoperable, the remaining boiler (which was installed in 1988) is bearing a heating load that exceeds system design. The consequence will be to shorten the life of this functioning boiler. Further, if the existing functioning boiler shuts down there is no backup boiler to carry the heating load. If this occurred, the School would have to be shut down until the functioning boiler is repaired, or a temporary heating system can be installed.

MOVED: That the Town vote to raise and appropriate the sum of \$150,000 to replace the Hillside School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$150,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7.

A motion to amend was offered by Mr. Daniel P. Matthews by adding an emergency preamble as follows: This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative." Further by striking out the amount "\$150,000" wherever it appears and inserting in place thereof the amount "\$200,000".

Mr. Paul T. Milligan, member, stated that the Finance Committee unanimously supports this proposal. He noted that the Finance Committee is impressed with the work of Mr. Mark LaFleur and this proposal will extend the life of the boiler by 20 years.

Mr. Matthews' motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$200,000 to replace the Hillside School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$200,000 for a period of up to 20 years, under M.G.L., Chapter 44, Section 7. This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

ARTICLE 42: APPROPRIATE FOR ELEMENTARY SCHOOL ROOF REPAIRS

To see if the Town will vote to raise and appropriate the sum of \$60,000 for roof repairs, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 10 years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 42 Explanation: A recently completed roof survey and evaluation of all school building roofs performed by a consultant engineer indicates the need to make repairs to various components of all six elementary school building roofs. This project will address the following conditions found among the schools: missing and damaged flashing, membrane holes, damaged scuppers, damaged gravel stops, inadequate drains, and inadequate HVAC curb and sleeper tie-ins. It is recommended that all this work be done as one project because it should result in savings to the Town through a lower bid price than would occur if each school was bid separately over a number of years.

MOVED: That the Town vote to raise and appropriate the sum of \$60,000 for roof repairs, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 10 years, under M.G.L., Chapter 44, Section 7.

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectmen. He noted that there is a series of roof work to be done on the school building this year.

Mr. Paul T. Milligan, member, recommended adoption of this article on behalf of the Finance Committee with the

understanding from the Permanent Public Building Committee that work would be done this Fall.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 43: APPROPRIATE FOR MECHANICAL SYSTEM REPAIR - MITCHELL SCHOOL BOILER DESIGN SPECIFICATIONS

To see if the Town will vote to raise and appropriate the sum of \$18,000 for design specifications to replace the Mitchell School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$18,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 43 Explanation: *The #2 boiler is an eleven section cast iron steam boiler. It is 32 years old. It has reached its life expectancy which is evidenced by the facts that it runs rough, is very inefficient, and is extremely maintenance intensive. This project would entail the preparation of design specifications in order to replace the boiler and related mechanical systems in FY2000. The appropriation for the boiler replacement would be brought before the May 1999 Town Meeting.*

MOVED: That the Town vote to raise and appropriate the sum of \$18,000 for design specifications to replace the Mitchell School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$18,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7.

A motion to amend was offered by Mr. Daniel P. Matthews by deleting the words "and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$18,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7," and inserting in place therein the words, "said sum to be raised from the tax levy."

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectmen,

Mr. Paul T. Milligan, member, recommended adoption of this article on behalf of the Finance Committee.

Mr. Matthews' motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$18,000 for design specifications to replace the Mitchell School boiler mechanical systems, to be spent under the direction of the Municipal Building Maintenance Board, said sum to be raised from the tax levy.

ARTICLE 44: was previously withdrawn on May 4, 1998.

ARTICLE 45: APPROPRIATE FOR HIGH SCHOOL

EXTRAORDINARY REPAIRS

To see if the Town will vote to raise and appropriate the sum of \$210,000 for extraordinary repairs to the high school exterior, to be spent under the direction of the Municipal Building Maintenance Board, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$210,000 for a period of up to 20 years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 45 Explanation: *With the exception of the "A" Building, which was renovated in 1988, the High School exterior has not been painted in 20 years. In addition to this deferred maintenance, the paint has tested positive for lead. While funding for this project is being requested at the 1998 Annual Town Meeting, work will not be performed until the Summer of 1999 so as not to interfere with the proposed roofing work at the High School. The winter will be devoted to developing work specifications with the assistance of environmental engineering firm to insure compliance with lead rules. It is estimated that engineering services will cost \$10,000.*

MOVED: That the Town vote to raise and appropriate the sum of \$210,000 for extraordinary repairs to the high school exterior, to be spent under the direction of the Municipal Building Maintenance Board, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$210,000 for a period of up to 20 years under M.G.L., Chapter 44, Section 7.

Mr. Daniel P. Matthews, Selectmen, recommended adoption of this proposal on behalf of the Board of Selectmen.

Mr. Paul G. Smith, Vice Chairman, supported this article on behalf of the Finance Committee.

After a brief discussion, a motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried unanimously by voice vote.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 46: was unanimously referred to the Permanent Public Building Committee on May 11, 1998.

ARTICLE 47: was unanimously referred to the Permanent Public Building Committee on May 11, 1998.

ARTICLE 48: APPROPRIATE FOR HIGH ROCK SCHOOL RENOVATION AND EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$420,000 for equipment and classroom furniture for the High Rock school, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$420,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 48 Explanation: *The current lease of the High Rock School to the Rashi School program will end on July 1, 1998. The Needham School Committee has indicated that it will likely re-open the High Rock as an elementary school in September 1999 to accommodate a growing*

elementary school population. A September 1999 opening will require the purchase and installation of furniture and equipment during Fiscal Year 1999 including: \$228,000 to re-equip the kitchen and \$11,000 for cafeteria tables, \$28,200 for Voice, Video and Data Network, \$16,560 audio visual equipment, \$34,200 for 18 computer workstations, \$70,000 for 10 classrooms of furniture and \$32,000 for office equipment and furniture. It is anticipated that debt will not be issued for this project until Spring 1999 so that debt service will not affect the Town's operating budget until FY2000.

MOVED: That the Town vote to raise and appropriate the sum of \$420,000 for equipment and classroom furniture for the the High Rock school, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$420,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7.

A motion to postpone consideration of Article 48 to a time certain, specifically the first order of business on Monday, May 18, 1998, was offered by Mr. Daniel P. Matthews. The motion to postpone was presented and carried unanimously by voice vote.

ARTICLE 49: APPROPRIATE FOR POLLARD SCHOOL FURNITURE AND EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$48,000 for furniture and equipment at the Pollard School, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$48,000 for a period of five years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 49 Explanation: This request is for the replacement of furniture and equipment including science laboratory tables, cafeteria tables and chairs, cork bulletin boards, media and art storage cabinets, and display cases.

MOVED: That the Town vote to raise and appropriate the sum of \$48,000 for furniture and equipment at the Pollard School, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$48,000 for a period of five years, under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mrs. Susan Welby by deleting the words "and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$48,000 for a period of five years, under M.G.L. Chapter 44, Section 7." and inserting in place therein the words "said sum to be raised from the tax levy."

Mr. Paul F. Denver, member, addressed this proposal on behalf of the School Committee. He stated that this proposal is for the replacement of bulletin boards and wooden shelving that is causing odors in the Pollard Middle School.

Mr. Paul T. Milligan, member, recommended adoption of this proposal on behalf of the Finance Committee to be funded with cash as is the policy of the Finance Committee for small articles.

Dr. Jonathan M. Davis expressed concern that these items were not returned to the manufacturer for a refund and asked what assurance has been provided that the new items will not cause the

same problem. Mr. Denver stated that this matter was referred to the town's attorney.

Mrs. Welby's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$48,000 for furniture and equipment at the Pollard School, to be spent under the jurisdiction of the School Committee, said sum to be raised from the tax levy.

ARTICLE 50: was unanimously adopted on May 4, 1998.

ARTICLE 51: APPROPRIATE FOR DPW VEHICLE REPLACEMENT

To see if the Town will vote to raise and appropriate the sum of \$585,850 for DPW equipment, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$585,850 for a period of up to five years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 51 Explanation: The total amount of vehicle replacement to be funded from all sources (i.e., general fund and enterprise fund revenues) equals \$585,850. \$324,600 represents that portion of recommended vehicle replacement to be financed with general obligation debt. The vehicles recommended here are part of the on-going replacement program in the DPW and includes a street sweeper; a sidewalk tractor; a four wheel drive pick-up, a one ton dump truck; 2 station wagons; 2 sedans; a one ton utility truck; an athletic field conditioner; and, a ten ton trailer. An additional \$261,250 is for the replacement of water/sewer department vehicles including: a catch-basin cleaner; one-ton four-wheel drive truck; a utility truck; and a one-ton utility body truck.

MOVED: That the Town vote to raise and appropriate the sum of \$585,850 for DPW equipment, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$585,850 for a period of up to five years, under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. John H. Cogswell by striking the amount "\$585,850" and inserting in place thereof the amount "\$495,000", and to delete the remaining words after the words "and to meet this appropriation" and insert in place thereof the words ", \$25,500 is to be raised from the tax levy, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$469,500 for a period of up to five years, under M.G.L. Chapter 44, Section 7."

Mr. Cogswell addressed this proposal on behalf of the Board of Selectmen. He explained that this proposal is part of the standard replacement schedule for the Public Works fleet of 88 vehicles. He explained that the replacement schedule had previously been deferred, but brought before this Town Meeting under the joint decision of the Board of Selectmen and the Finance Committee.

Mr. John P. Ryan, Chairman, stated that the Finance Committee voted unanimously to recommend adoption of this article.

In response to an inquiry from Mr. Jeffrey D. Heller, Mr. Cogswell stated that the town does have a vehicle use policy established in February, 1997.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and passed by the required two-thirds vote as declared by the Moderator.

VOTED: That the Town vote to raise and appropriate the sum of \$495,000 for DPW equipment, to be spent under the direction of the Board of Selectmen, and to meet this appropriation, \$25,500 is to be raised from the tax levy, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$469,500 for a period of up to five years, under M.G.L. Chapter 44, Section 7.

ARTICLE 52: was previously withdrawn on May 4, 1998.

ARTICLE 53: was previously withdrawn on May 4, 1998.

At 11:00 P.M., Mr. Gerald R. Browne moved that the Annual Town Meeting stand adjourned to Monday, May 18, 1998 at 7:30 P.M. at the Pollard Middle School, and it was so voted unanimously.

Theodora K. Eaton, CMC/AAE
Town Clerk

a true copy
ATTEST:

ADJOURNED ANNUAL TOWN MEETING

Monday, May 18, 1998

Pursuant to adjournment of the Annual Town Meeting held May 13, 1998, the Inhabitants of the Town of Needham qualified to vote in Town Affairs met in the Pollard Middle School on Monday, May 18, 1998, at 7:30 P.M.

Check lists were used and 219 voters were checked on the list as being present, including 212 Town Meeting Members.

In the absence of a member of the clergy, the Moderator asked for spiritual guidance with a moment of silence. Upon arrival of clergy, at the designation of Rabbi Carl M. Perkins, President of the Needham Clergy Association, Reverend Janet Newman, Pastor, First Parish Unitarian - Universalist Church, provided the invocation.

The Moderator declared a quorum to be present and requested the Town Clerk to so record.

Discussion commenced under Article 48 which had been postponed to a time certain, specifically the first order of business on

Monday, May 18, 1998.

ARTICLE 48: APPROPRIATE FOR HIGH ROCK SCHOOL RENOVATION AND EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$420,000 for equipment and classroom furniture for the the High Rock school, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$420,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 48 Explanation: The current lease of the High Rock School to the Rashi School program will end on July 1, 1998. The Needham School Committee has indicated that it will likely re-open the High Rock as an elementary school in September 1999 to accommodate a growing elementary school population. A September 1999 opening will require the purchase and installation of furniture and equipment during Fiscal Year 1999 including: \$228,000 to re-equip the kitchen and \$11,000 for cafeteria tables, \$28,200 for Voice, Video and Data Network, \$16,560 audio visual equipment, \$34,200 for 18 computer workstations, \$70,000 for 10 classrooms of furniture and \$32,000 for office equipment and furniture. It is anticipated that debt will not be issued for this project until Spring 1999 so that debt service will not affect the Town's operating budget until FY2000.

MOVED: That the Town vote to raise and appropriate the sum of \$420,000 for equipment and classroom furniture for the High Rock School, to be spent under the jurisdiction of the School Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$420,000 for a period of up to five years, under M.G.L., Chapter 44, Section 7.

Mr. Daniel P. Matthews, Selectman, explained that the School Department intends to bring the High Rock School back on line in September, 1999 and that this article is to raise funds for that purpose. However, plans are still being formulated.

A motion to refer the subject matter of this article back to the School Committee for further study was offered by Mr. Daniel P. Matthews. The motion was presented and carried unanimously by voice vote.

ARTICLE 49: was unanimously adopted on May 13, 1998.

ARTICLE 50: was unanimously adopted on May 4, 1998.

ARTICLE 51: was adopted by voice vote on May 13, 1998.

ARTICLE 52: was previously withdrawn on May 4, 1998.

ARTICLE 53: was previously withdrawn on May 4, 1998.

ARTICLE 54: APPROPRIATE FOR SIDEWALK REPAIR/RESURFACING

To see if the Town will vote to raise and appropriate the sum of \$65,000 for sidewalk repair and resurfacing, to be spent under the direction of the Board of Selectmen, and to meet this

appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$65,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 54 Explanation: *The School Department's busing policy has resulted in more school age children walking to school. This has placed a greater emphasis on the condition of sidewalks along designated walking routes. As a result of level funding of the operating budget for street and sidewalk maintenance during the last several years, however, little work on sidewalks can be undertaken. The DPW has reviewed recommendations from the School Safety Study Committee to undertake repairs along specific walking routes. It is proposed that this year's funding be applied to the highest priority street on the list: Warren Street, from School Street to Gayland Road.*

MOVED: That the Town vote to raise and appropriate the sum of \$65,000 for sidewalk repair and resurfacing, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$65,000 for a period of up to five years under M.G.L., Chapter 44, Section 7.

Mr. William M. Powers, Selectman, recommended adoption of this proposal on behalf of the Board of Selectmen.

Mr. James G. Healy, member, advised that the School Safety Study Committee is going to work closely with the Board of Selectmen and the Department of Public Works to prioritize which school sidewalks are most in need of repair. He recommended adoption of the proposal on behalf of the Finance Committee.

ACTION: The main motion was presented, but the Moderator was in doubt as to the voice vote. Mr. Robert D. Friedman was sworn in as teller by the Moderator in the absence of Dr. Jonathan M. Davis. The motion was again presented and carried by a count of hands. The hand count was Yes 151 No 25.

ARTICLE 55: APPROPRIATE FOR RENOVATION OF HIGH ROCK AND HIGH SCHOOL GROUNDS

To see if the Town will vote to raise and appropriate the sum of \$154,000 for renovations to the High Rock and High School grounds, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$154,000 for a period of up to five years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 55 Explanation: *FY99 will be year four of a five year plan to transfer maintenance of school athletic fields and playgrounds to the DPW Parks Division. Part of this plan was an agreement to make improvements to the fields prior to their transfer. In FY96, capital improvements were made to the Newman School Grounds. In FY97, capital improvements were made to the Pollard Middle School/Greens' Field Grounds and in FY98 improvements are being made to the Hillside/Mitchell School Grounds. Authorization of \$154,000 is needed to bring the High Rock/High School fields and tennis courts up to acceptable standards prior to transferring their maintenance to the DPW.*

MOVED: That the Town vote to raise and appropriate the sum of \$154,000 for renovations to the High Rock and High School grounds, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$154,000 for

a period of up to five years under M.G.L., Chapter 44, Section 7.

A motion to amend was offered by Mr. Daniel P. Matthews to delete the words "and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$154,000 for a period of up to five years under M.G.L., Chapter 44, Section 7," and inserting in place therein the words "said sum to be raised from the tax levy."

Mr. Daniel P. Matthews, Selectman, addressed this proposal on behalf of the Board of Selectman. He explained that the grounds are in constant use and need renovation now.

Mr. James G. Healy, member, recommended adoption of this proposal on behalf of the Finance Committee. In response to an inquiry from Mr. Everett E. Hicks, Mr. Healy stated that the rent money from the Rashi School has been used to keep the school in good repair.

After a brief discussion, the motion to amend was presented and carried by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$154,000 for renovations to the High Rock and High School grounds, to be spent under the direction of the Board of Selectmen, said sum to be raised from the tax levy.

ARTICLE 56: was previously withdrawn on May 4, 1998.

ARTICLE 57: was previously withdrawn on May 4, 1998.

ARTICLE 58: APPROPRIATE FOR WEST STREET PUMPING STATION CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$3,000,000 to reconstruct the West Street Pumping Station, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 58 Explanation: *This pump station is 60 years old and is vulnerable to a complete pump station failure. In addition, its current design results in operating inefficiencies. The ability to expand and/or modify the existing station to address defects does not exist. A variety of factors contribute to the vulnerability and inefficiency of this facility. They include the following: (1) the last major upgrade of the facility was 35 years ago; (2) the increase in the volume of wastewater as a result of the overall growth and development in the service area has made the present facility obsolete; (3) the wastewater collection chamber (wet well) is severely undersized causing an excessively high number of operating hours of the pumping equipment; and, (4) due to the limitation of space at the pump station, increase in flows due to development cannot be accommodated by the installation of additional pumps. Thus, existing pumps become overburdened which shortens their useful life.*

Aside from the operational limitations, this facility does not meet current safety code requirements or minimum operating standards for many of the electrical, plumbing and HVAC systems. This project has been bid and a

final cost will be presented at the Town Meeting.

MOVED: That the Town vote to raise and appropriate the sum of \$3,000,000 to reconstruct the West Street Pumping Station, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$3,000,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. John H. Cogswell to add the following emergency preamble: "This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative."; to delete the sum of "\$3,000,000" and insert in place thereof the sum of "\$2,250,000"; and to add the following words at the end of the paragraph: "and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project."

A motion to discuss Articles 58, 59 and 60 together and vote on separately was offered by Mr. John H. Cogswell. The motion was presented and carried unanimously by voice vote.

Mr. John H. Cogswell addressed these articles on behalf of the Board of Selectmen. He explained that this pumping station was constructed in 1935 and enlarged in the early 1940s. The pumps are more than 25 years old, the alarm system is primitive, and the electric system does not meet code. Mr. Cogswell recommended adoption of Articles 58 and 59, and a no vote on Article 60.

Mr. Thomas Hannigan, Jr., member, addressed these proposals on behalf of the Finance Committee. He explained that the Finance Committee devoted a considerable amount of time on these proposals. The impact of these articles over the next two years is significant and will then gradually be reduced. As of FY 1999 the average bill related to sewerage will increase by about \$11 per year. In FY 2000, it will reach \$49 per year. This does not include the additional \$10 increase in the water bill for both FY 1999 and 2000. The bottom line, according to Mr. Hannigan, is a cost of about \$100 over the next two years for the average homeowner. The Finance Committee feels this is an important project and needs to go forward. He recommended adoption of Articles 58 and 59 and not Article 60.

Mr. Martin L. B. Walter requested some clarification on the 30-year financing and 25-year design life of the proposal. He also expressed concern with making these costs available for tax deductions. Mr. Cogswell advised that under the new tax laws, some residents would benefit and others would not.

In response to an inquiry from Mr. Robert Todd Pratt, Mr. Cogswell advised that the new Olin Engineering School would increase usage of the West Street Station. He further noted that a committee has been formed to address the impact Olin will have on the community.

Mr. Thomas F. Soisson suggested that the Board of Selectmen look at funding this project within the Operating Budget and noted that this is basically a backdoor tax increase. He indicated that he is not happy with Proposition 2 ½ and that these projects should be presented to the voters.

After a lengthy discussion, a motion to move the previous question was offered by John F. Milligan. The motion was presented and carried unanimously by voice vote.

Mr. Cogswell's motion to amend under Article 58 was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$2,250,000 to reconstruct the West Street Pumping Station, to be spent under the direction of the Permanent Public Building Committee, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$2,250,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7 and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. This is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative.

ARTICLE 59: APPROPRIATE FOR WEST STREET FORCE MAIN CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$820,000 to replace the West Street force main, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$820,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 59 Explanation: During the preliminary investigation for the design of the West Street pumping station the need to replace the West Street force main was identified. After further study by the Town's consulting engineer and Water and Sewer Division personnel, it was discovered that the hydraulic conditions in the receiving manhole of the main at the intersection of West Street and Highland Avenue were causing surcharging conditions. This fact, coupled with the projected increased hydraulic impact of the new, larger pumps and motors slated to be installed at the new West Street pumping station, indicate the need to relocate the existing force main. The proposed new route parallels Rosemary Brook and runs up Rosemary St. to Highland Avenue.

This project along with the West Street Interceptor and Reservoir Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting

for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$820,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be available when this request comes before the 1998 Annual Town Meeting for approval.

MOVED: That the Town vote to raise and appropriate the sum of \$820,000 to replace the West Street force main, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$820,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. John H. Cogswell to delete the sum "\$820,000" and insert in place thereof the sum "\$1,250,000" wherever it appears in the article; to add the words "and construct" after the words "to replace"; to add the words "interceptor and" after the words "the West Street"; to add the words "and to authorize the Board of Selectmen to acquire by purchase, eminent domain or otherwise, any necessary easements to carry out the project,"; and to add the following words at the end of the article: "and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project."

Mr. Cogswell's motion was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$1,250,000 to replace and construct the West Street interceptor and force main, and to authorize the Board of Selectmen to acquire by purchase, eminent domain or otherwise, any necessary easements to carry out the project, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$1,250,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7 and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project.

ARTICLE 60: APPROPRIATE FOR WEST STREET INTERCEPTOR CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$335,000 to replace the West Street interceptor; to be spent under the direction of the Board of Selectmen, and to meet this

appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$335,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 60 Explanation: The West Street wastewater interceptor carries wastewater from two-thirds of the service area to the West St. Pump Station. Proposed construction of a new West Street wastewater force main prompted the investigation of the adjacent interceptor. The investigation revealed serious blockages caused by broken and collapsing pipe, infiltration and heavy root intrusion. The risk of total failure of this line is high and could occur at any time resulting in a serious public health hazard including possible contamination of Wellesley's water supply through a direct discharge of wastewater into Rosemary Brook which feeds that water supply.

This project along with the West Street Force Main and the Reservoir Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$335,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be in hand when this request comes before the 1998 Annual Town Meeting for approval.

MOVED: That the Town vote to raise and appropriate the sum of \$335,000 to replace the West Street interceptor; to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$335,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7.

ACTION: The main motion was presented, but failed to pass by voice vote.

ARTICLE 61: APPROPRIATE FOR RESERVOIR STREET PUMP STATION INTERCEPTOR CONSTRUCTION

To see if the Town will vote to raise and appropriate the sum of \$450,000 to rehabilitate the Reservoir Street pump station interceptor, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$450,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 61 Explanation: A closed circuit television inspection has identified a serious problem in the wastewater interceptor that runs from Highland Circle to the Reservoir Street Pumping Station. The inspection reveals that there is approximately 700 feet of collapsing sewer pipe in addition to 400+ feet of cracked pipe. This pipe is constantly under surcharging conditions which triggers infiltration further collapsing the adjacent piping.

This project along with the West Street Force Main and the West Street Interceptor are the current highest priorities of the Sewer division given the potential risk that current conditions pose to health and safety. Consequently, sewer rehabilitation design funds voted at the 1997 Annual Town Meeting for Area 20 (Webster St./Bradford St./Manning St./Brookline St./Lindbergh Ave.) have been redirected for design of this project. (This proposal has prompted a request for funding in FY2000 of a new \$150,000 for Area 20 design.) The \$450,000 cost of this project is a preliminary, pre-design estimate. It is anticipated that bids will be in hand when this request comes before the 1998 Annual Town Meeting for approval.

MOVED: That the Town vote to raise and appropriate the sum of \$450,000 to rehabilitate the Reservoir Street pump station interceptor, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$450,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. John H. Cogswell to delete the sum "\$450,000" and insert in place thereof the sum "\$140,000" wherever it appears in the article, and to add the following words at the end of the article: "and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project."

Mr. John H. Cogswell, Selectman, advised that the Reservoir Street Pump Station covers a large area including the New England Industrial Center and that there have been many problems with the interceptor.

Mr. Thomas Hannigan, Jr., member, stated that the Finance Committee recommends adoption of the amended article.

Mr. Cogswell's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$140,000 to rehabilitate the Reservoir Street pump station interceptor to be spent under the direction of the Board of Selectmen and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$140,000 for a period of up to thirty years under M.G.L. Chapter 44, Section 7 and/or all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to M.G.L. Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project.

ARTICLE 62: APPROPRIATE FOR RTS TRANSFER TRAILERS

To see if the Town will vote to raise and appropriate the sum of \$40,000 for the purchase of a solid waste transfer trailer, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$40,000 for a period of up to five years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 62 Explanation: The second cycle of replacement for the three main solid waste transfer trailers was initiated with the FY97 budget. The second trailer was funded in the FY98 budget and the third trailer is proposed here. The least damaged trailers are being retained to supplement the recycling expansion requirements. The retained trailers will be used to haul the less handled, non-compacted & lighter recyclables. The future trailer replacements, which are now scheduled on a 3 to 4 year rotation schedule. The older recycling trailers will be used for trade-in against new replacement trailers. It is anticipated that the total life of the trailers will be 6 to 8 years.

MOVED: That the Town vote to raise and appropriate the sum of \$40,000 for the purchase of a solid waste transfer trailer, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$40,000 for a period of up to five years under M.G.L. Chapter 44, Section 7.

Mr. Paul Theodore Owens, Selectman, recommended adoption of this proposal on behalf of the Board of Selectmen. He explained that three large transfer trailers, first purchased in 1988, need replacing every six to eight years. This is the last trailer to be replaced.

Mr. James G. Healy, member, recommended adoption of this proposal on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 63: was unanimously adopted on May 4, 1998.

ARTICLE 64: APPROPRIATE FOR TOWNWIDE TELEPHONE SYSTEM

To see if the Town will vote to raise and appropriate the sum of \$300,000 to upgrade the Town's Telephone System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$300,000 for a period of up to five years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 64 Explanation: The Town's current phone system hardware is eleven years old. It is undersized, inefficient and has adverse impacts on productivity and customer relations. Many of the features that are commonly in use in public and private organizations are not available on this system due to its age. In addition, two separate agreements with Bell Atlantic for Centrex Service, one with the School Department and one with General Government, expire on January 1, 1999. Given these conditions, the Town is conducting an assessment of departmental phone needs to be followed by the design of a system to meet these needs. The figure quoted above is preliminary.

MOVED: That the Town vote to raise and appropriate the sum of \$300,000 to upgrade the Town's Telephone System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$300,000 for a period of up to five years, under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. John H. Cogswell by deleting the word "five" and inserting in place therein the word "ten".

Mr. John H. Cogswell advised that the Board of Selectmen unanimously requests approval of this article.

Mr. Paul G. Smith, member, advised that the Finance Committee recommends adoption of this proposal.

After a brief discussion, the motion to amend was presented and carried by voice vote.

ACTION: The main motion, as amended, was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by a two-thirds vote as declared by the Moderator.

VOTED: That the Town vote to raise and appropriate the sum of \$300,000 to upgrade the Town's Telephone System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$300,000 for a period of up to ten years, under M.G.L. Chapter 44, Section 7.

ARTICLE 65: APPROPRIATE FOR COMPUTER UPGRADE - POLICE / FIRE STATION

To see if the Town will vote to raise and appropriate the sum of \$60,000 to upgrade the Public Safety Computer System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 5 years, under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 65 Explanation: The IBM AS400 computer located at the Police Department is the platform for a variety of databases that are critical to public safety dispatching and record-keeping. The system was acquired in 1993 and is now operating at 79 percent of system storage. At best, it is projected that the remaining 21 percent of storage will be sufficient to carry the system until July, 1998. Remaining capacity will be consumed by anticipated operating system and software application upgrades, and the activation of the fire incident reporting system. If the system is not upgraded, it will require the elimination of data that is important to the efficient delivery of public safety services. An upgrade will quadruple current main memory and disk storage and should provide adequate capacity for another five years.

MOVED: That the Town vote to raise and appropriate the sum of \$60,000 to upgrade the Public Safety Computer System, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$60,000 for a period of up to 5 years, under M.G.L. Chapter 44, Section 7.

Mr. Paul Theodore Owens, Selectman, addressed this proposal and recommended adoption on behalf of the Board of Selectmen.

Mr. Ford H. Peckham, member, recommended approval of this proposal on behalf of the Finance Committee.

ACTION: The main motion was presented, but the Moderator was in doubt as to the voice vote. The motion was again presented and carried by the required 2/3 vote as declared by the Moderator.

ARTICLE 66: APPROPRIATE FOR POLICE RADIO

SYSTEM

To see if the Town will vote to raise and appropriate the sum of \$90,000 for replacement of the police radio system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$90,000 for a period of up to ten years under M.G.L. Chapter 44, Section 7; or take any other action relative thereto.

Article 66 Explanation: The Police radio communications infrastructure consists of antennas, repeaters/receivers, transmitters and a comparator. While the equipment is not malfunctioning, given its age (20 years), the difficulty in obtaining replacement parts and the critical role it plays in facilitating the delivery of public safety services, it is prudent to replace this equipment in Fiscal Year 1999.

MOVED: That the Town vote to raise and appropriate the sum of \$90,000 for replacement of the police radio system, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$90,000 for a period of up to ten years under M.G.L. Chapter 44, Section 7.

A motion to amend was offered by Mr. Paul Theodore Owens to delete the sum of "\$90,000" wherever it appears in the article and insert in place thereof the sum of "\$100,000"; to strike the remaining words after the words "to be spent under the direction of the Board of Selectmen, and" and insert in place thereof the words "and further, that said funds be raised from the tax levy."

Mr. Paul Theodore Owens, Selectman, explained that the additional sum of money in the amendment represents a price increase from last year to the current year.

Mr. Ford H. Peckham, member, stated that the Finance Committee supports this proposal. There are four legs to this radio system - the first is E911, the second is the Fire-based radio system, the third is the Police-based radio system, and the fourth is the Emergency radio system. He further noted that Motorola will now guarantee parts after December 31, 1998.

Mr. Owens' motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$100,000 for replacement of the police radio system, to be spent under the direction of the Board of Selectmen, and further, that said funds be raised from the tax levy.

ARTICLE 67: APPROPRIATE FOR FIRE ENGINE REPLACEMENT

To see if the Town will vote to raise and appropriate the sum of \$300,000 to replace Fire Engine 2, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$300,000 for a period of up to 15 years under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

Article 67 Explanation: The current Engine #2 is a 22 year old

pumper. It serves as a backup piece to Engine #1 and Engine #3 housed at the Chestnut Street Station, and Engine #4 housed at the Heights. Engine 2 is showing increasing signs of wear as evidenced by the amounts paid for extraordinary maintenance in FY 96 (\$5,220) and FY97 (\$8,421). Purchase of a replacement for Engine #2 will relegate Engine #3, a 10 year old pumper, as the backup unit. It is anticipated that delivery would occur within twelve months after ordering the vehicle. Consequently, this project would have no impact on FY99 debt service.

MOVED: That the Town vote to raise and appropriate the sum of \$300,000 to replace Fire Engine 2, to be spent under the direction of the Board of Selectmen, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$300,000 for a period of up to 15 years under A.G.L., Chapter 44, Section 7.

Mr. Paul Theodore Owens, Selectman, addressed this proposal on behalf of the Board of Selectmen. He explained that there are four front line fire trucks which need to be replaced every five years. This year Engine #2 needs to be replaced. Fire Chief Robert DiPoli urged support of this proposal.

Mr. Ford H. Peckham, member, advised that the Finance Committee recommends adoption of this article.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 68: APPROPRIATE FOR EMERGENCY MANAGEMENT RADIO EQUIPMENT

To see if the Town will vote to raise and appropriate the sum of \$31,000 for replacement of the Emergency Management Radio Equipment, to be spent under the direction of the Board of Selectmen, and raised from the tax levy; or take any other action relative thereto.

Article 68 Explanation: The radio system used by the Office of Emergency Management is barely operable and subject to frequent breakdowns. In addition to supporting Emergency Management, it is also used by the School Department to communicate to School Bus Drivers while they operate their buses. The system is fifteen years old.

MOVED: That the Town vote to raise and appropriate the sum of \$31,000 for replacement of the Emergency Management Radio Equipment, to be spent under the direction of the Board of Selectmen, and raised from the tax levy.

Mr. Paul Theodore Owens, Selectman, explained that this Emergency Management Radio Equipment is fifteen years old and is used both for emergencies and every day to allow the Schools to communicate with the school buses. The Board of Selectmen recommend adoption of this article.

Mr. Ford H. Peckham, member, recommended adoption of this proposal on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 69: was previously withdrawn on May 4, 1998

ARTICLE 70: was unanimously adopted on May 4, 1998.

ARTICLE 71: was previously withdrawn on May 4, 1998.

ARTICLE 72: APPROPRIATE FOR A COMPUTER UPGRADE - ASSESSORS

To see if the Town will vote to raise and appropriate the sum of \$35,000 for a computer upgrade for the Assessors, to be spent under the direction of the Board of Assessors and raised from the tax levy, or take any other action relative thereto.

Article 72 Explanation: The file server and terminals that support the Assessor's Computer Assisted Mass Appraisal (CAMA) system are six years old. The developer of the CAMA system software is developing upgrades of the software that will require graphic user interface capabilities which are not a component of the current system. The new system will be easier to use than the current system, which will facilitate staff training and customer service.

MOVED: That the Town vote to raise and appropriate the sum of \$35,000 for a computer upgrade for the Assessors, to be spent under the direction of the Board of Assessors and raised from the tax levy.

Mr. John H. Cogswell, Selectman, addressed this proposal and recommended adoption on behalf of the Board of Selectmen.

Mr. James G. Healy, member, explained that this computer upgrade will be used with the new GIS software. He further noted that there will be no debt on this proposal and recommended adoption on behalf of the Finance Committee.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 73: was unanimously adopted on May 4, 1998.

ARTICLE 74: APPROPRIATE FOR NEW DEBT SERVICE

To see if the Town will vote to raise and appropriate the sum of \$57,875 from the tax levy for the payment of interest on debt in fiscal year 1999 for capital projects approved at the 1998 Annual Town Meeting; or take any other action relative thereto.

Article 74 Explanation: This Article is to fund the first year's general fund debt service for those Capital Articles (40-72) approved by Town Meeting. The amount will be amended, if necessary, based on those Articles approved by Town Meeting. Debt Service for the Town's Enterprise Funds (Articles 25-27) is found in those Articles.

MOVED: That the Town vote to raise and appropriate the sum of \$57,875 from the tax levy for the payment of interest on debt in fiscal year 1999 for capital projects approved at the 1998 Annual Town Meeting.

A motion to amend was offered by Mr. James G. Healy by deleting the amount of "\$57,875" and inserting in place thereof the amount of "\$60,988".

Mr. Healy's motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to raise and appropriate the sum of \$60,988 from the tax levy for the payment of interest on debt in fiscal year 1999 for capital projects approved at the 1998 Annual Town Meeting.

ARTICLE 75: AMEND GENERAL BY-LAWS - SECTION 9.2.2.6 (BOARD OF HEALTH REGULATIONS)

To see if the Town will vote to Amend its General By-Laws by deleting Section 9.2.2.6 in its entirety and replacing it with the following:

"9.2.2.6 Board of Health Regulations

1. Disposal of Refuse - Article 3

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

2. Nuisance and General Sanitation - Article 4

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

3. Hazardous Waste Clean-Up effective 1/14/89 - Article 2

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

\$25 - First Day

\$50 - Subsequent days

**4. Regulation Affecting Smoking and the Sale and Distribution of Tobacco in Needham
Article 1 Section 1.6 Retail Sale of Tobacco Products**

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:

First Offense - Warning

Second Offense - one hundred dollars (\$100)

Third Offense - two hundred dollars (\$200)

Fourth and Subsequent Offenses - three hundred dollars (\$300)

5. Well Drilling and Registration Regulations - Article 14

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First and Subsequent Offenses: \$300 Fine

6. All Other Board of Health Regulations:

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:

First Offense - warning

Second Offense - twenty dollars (\$20)

Third and Subsequent Offenses - fifty dollars (\$50)"

Or take any other action relative thereto.

Article 75 Explanation: Proposed changes apply to the Non-criminal Disposition of Board of Health regulations. Changes would add the Public Health Nurse as enforcing agent, change name of Sanitarian to Environmental Health Agent, increase the fines for violations of Article 3 - Disposal of Refuse and Article 4 - Nuisance and General Sanitation and add a \$300 fine for violations of the Well Drilling and Registration Regulation.

MOVED: That the Town vote to Amend its General By-Laws by deleting Section 9.2.2.6 in its entirety and replacing it with the following:

"9.2.2.6 Board of Health Regulations

A. Disposal of Refuse - Article 3

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

B. Nuisance and General Sanitation - Article 4

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

C. Hazardous Waste Clean-Up effective 1/14/89 - Article 2

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

\$25 - First Day

\$50 - Subsequent days

**D. Regulation Affecting Smoking and the Sale and Distribution of Tobacco in Needham
Article 1 Section 1.6 Retail Sale of Tobacco Products**

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or

Public Health Nurse

Fine Schedule:

First Offense - Warning

Second Offense - one hundred dollars (\$100)

Third Offense - two hundred dollars (\$200)

Fourth and Subsequent Offenses - three hundred dollars (\$300)

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

E. Well Drilling and Registration Regulations - Article 14

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First and Subsequent Offenses: \$300 Fine

C. Hazardous Waste Clean-Up effective 1/14/89 - Article 2

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

\$25 - First Day

\$50 - Subsequent days

F. All Other Board of Health Regulations:

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:

First Offense - warning

Second Offense - twenty dollars (\$20)

Third and Subsequent Offenses - fifty dollars (\$50)".

D. Regulation Affecting Smoking and the Sale and Distribution of Tobacco in Needham Article 1 Section 1.6 Retail Sale of Tobacco Products

Enforcement Agent: Health Director, Environmental Health Agent, Tobacco Control Program Director, or Public Health Nurse

Fine Schedule:

First Offense - Warning

Second Offense - one hundred dollars (\$100)

Third Offense - two hundred dollars (\$200)

Fourth and Subsequent Offenses - three hundred dollars (\$300)

A motion to amend was offered by Mr. Paul Theodore Owens by striking out the words "Tobacco Control Program Director" as they appear in 9.2.2.6 - F. All Other Board of Health Regulations.

Mr. Daniel P. Matthews, Selectman, advised that this proposal updates the non-criminal schedule 9.2.2.6 Board of Health Regulations by adding the Public Health Nurse to the list of Enforcement Agents.

Mr. Owens motion to amend was presented and carried unanimously by voice vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to Amend its General By-Laws by deleting Section 9.2.2.6 in its entirety and replacing it with the following:

"9.2.2.6 Board of Health RegulationsA. Disposal of Refuse - Article 3

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First Offense - twenty five dollars (\$25)

Subsequent Offenses - one hundred dollars (\$100)

B. Nuisance and General Sanitation - Article 4

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

E. Well Drilling and Registration Regulations - Article 14

Enforcement Agent: Health Director, Environmental Health Agent and Public Health Nurse

Fine Schedule:

First and Subsequent Offenses: \$300 Fine

F. All Other Board of Health Regulations:

Enforcement Agent: Health Director, Environmental Health Agent, or Public Health Nurse

Fine Schedule:

First Offense - warning

Second Offense - twenty dollars (\$20)

Third and Subsequent Offenses - fifty dollars (\$50)".

ARTICLE 76: ACCEPT MGL CHAPTER 40 SECTION 8G (AGREEMENTS FOR MUTUAL POLICE AID)

To see if the town will vote to accept MGL Chapter 40 Section 8G; or take any other action relative thereto.

Article 76 Explanation: This law allows the Town, through the Police Chief, to enter into mutual aid agreements with other towns for the use of personnel and equipment for those situations where the town resources are insufficient to handle a particular activity or event.

MOVED: That the Town vote to accept MGL Chapter 40 Section 8G.

Mr. William M. Powers, Selectman, recommended adoption on behalf of the Board of selectmen.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 77: was unanimously adopted on May 4, 1998.

ARTICLE 78: ACCEPT MGL CHAPTER 143 SECTION 3Z (LOCAL BUILDING INSPECTOR AUTHORIZED TO ENGAGE IN PRIVATE PRACTICE)

To see if the Town will vote to accept MGL Chapter 143 Section 3Z allowing part-time building inspectors, local inspectors or alternative inspectors to engage in private practice or employment; or take any other action relative thereto.

Article 78 Explanation: *Current State regulations prohibit local inspectors and part-time and alternate building inspectors from engaging in any private business within the Town. Acceptance of this statute will allow these employees to engage in private practice in the Town. This is important since the Town employs various local tradesmen (plumbers, electricians) as alternate inspectors. If this law is accepted, these employees will continue to be prohibited from inspecting any work in which they are associated as part of their private practice.*

MOVED: That the Town vote to accept MGL Chapter 143 Section 3Z allowing part-time building inspectors, local inspectors or alternative inspectors to engage in private practice or employment.

Mr. Paul Theodore Owens, Selectman, advised that the Board of Selectmen unanimously voted to recommend adoption of this article. Unanimous consent was given to allow Mr. Armand Lavigne, Building Inspector and non-resident, to address Town Meeting. Mr. Lavigne recommended adoption of this article.

ACTION: The main motion was presented and carried by majority vote as declared by the Moderator.

ARTICLE 79: was adopted unanimously on May 4, 1998.

ARTICLE 80: AMEND GENERAL BY-LAWS (DETERMINE BY TWO-THIRDS VOTE)

To see if the Town will vote to amend Section 1.4 of the General By-Laws by amending the name of that section from "Roll Call" to "Votes", by renumbering the presently existing text to paragraph "1.4.2" and by adding a new paragraph "1.4.1" as follows:

"1.4.1 If two-thirds, four-fifths or nine-tenths vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office."

Or take any other action relative thereto.

Article 80 Explanation: *A recent change in State law allows a town to pass a local by-law permitting the Town Moderator to declare certain votes (two-thirds, four-fifths, nine-tenths) without calling for a specific count of those voting yea and nay.*

MOVED: That the Town vote to amend Section 1.4 of the General

By-Laws by amending the name of that section from "Roll Call" to "Votes", by renumbering the presently existing text to paragraph "1.4.2" and by adding a new paragraph "1.4.1" as follows:

"1.4.1 If two-thirds, four-fifths or nine-tenths vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office."

A motion to amend was offered by Mr. John H. Cogswell to strike the words ", four-fifths or nine-tenths".

The Motion to amend was presented and carried by majority vote.

ACTION: The main motion, as amended, was presented and carried unanimously by voice vote.

VOTED: That the Town vote to amend Section 1.4 of the General By-Laws by amending the name of that section from "Roll Call" to "Votes", by renumbering the presently existing text to paragraph "1.4.2" and by adding a new paragraph "1.4.1" as follows:

"1.4.1 If two-thirds vote of the Town Meeting is required by statute, a count shall not be taken unless it is deemed necessary by the Moderator in the fulfillment of the duties of the office."

ARTICLE 81: was unanimously adopted on May 4, 1998.

ARTICLE 82: was previously withdrawn on May 4, 1998.

ARTICLE 83: was previously withdrawn on May 4, 1998.

ARTICLE 84: AMEND GENERAL BY-LAWS SECTION 1.15 (THREE YEAR OPERATING AND CAPITAL BUDGET)

To see whether the Town will vote to require that the Board of Selectmen direct the Town Administrator and the Director of Finance to prepare and submit to the Town Meeting a projected Consolidated Operating and Capital Budget for the Town for the next three fiscal years commencing with FY2000, and annually for each rolling three year period, with the first Budget to be submitted at any Special Town Meeting that might be called during FY1999, and subsequent Budgets to be submitted at each Annual Town Meeting; or take any other action relative thereto.

Article 84 Explanation: *The Needham Taxpayers Association (NTA) has sponsored and recommends for adoption a Warrant Article that would require town management to develop and present to all annual Town Meetings a multi-year consolidated town budget / financial plan.*

The NTA feels this is urgently needed for a number of reasons. Needham's Town budget is approaching \$60 million. Town Meeting is repeatedly asked to approve expenditures for labor contracts and borrowing to support capital projects in a financial vacuum. This dynamic is a disservice to all Town Meeting Members as they are called upon to exercise the most important power of Town Meeting; prudent use of taxpayers funds to run the Town of Needham. What is critically needed is for these decisions to be made in the context of future year consequences of those spending / borrowing decisions on the entire budget.

Town Meeting Members have a fiduciary responsibility to all of the taxpayers of Needham. They cannot and should not be expected to properly discharge this duty in the absence of the adequate budgetary information found in a sound long term financial context.

MOVED: That the Town vote to require that the Board of Selectmen direct the Town Administrator and the Director of Finance to prepare and submit to the Town Meeting a projected Consolidated Operating and Capital Budget for the Town for the next three fiscal years commencing with FY2000, and annually for each rolling three year period, with the first Budget to be submitted at any Special Town Meeting that might be called during FY1999, and subsequent Budgets to be submitted at each Annual Town Meeting.

A motion was offered by Mr. James G. Healy that Article 84 be referred for further study to a committee to be comprised of one (1) representative, or appointee, from each of the following, the Finance Committee, the Board of Selectmen, and the Needham Taxpayers Association, and that after conveying its findings to the Finance Committee, the Finance Committee shall report back to the next Annual Town Meeting, or sooner, with its recommendations concerning said Article.

Mr. Healy's motion to refer was presented and carried by majority vote as declared by the Moderator.

ARTICLE 85: CONTINUE COMMUNITY CENTER STUDY COMMITTEE

To see if the Town will continue the Community Center Study Committee established by vote of the 1994 Annual Town Meeting under Article 59, to direct and authorize said Committee to study the options for providing a community facility that may meet the current and future needs for youth, recreation, cultural and senior programs, said Committee shall report back to the next Annual Town Meeting or sooner; or take any other action relative thereto.

MOVED: That the Town continue the Community Center Study Committee established by vote of the 1994 Annual Town Meeting under Article 59, to direct and authorize said Committee to study the options for providing a community facility that may meet the current and future needs for youth, recreation, cultural and senior programs, said Committee shall report back to the next Annual Town Meeting or sooner.

Mr. Paul Theodore Owens, Selectman, recommended approval of this proposal on behalf of the Board of Selectmen.

ACTION: The main motion was presented and carried by voice vote.

ARTICLE 86: CONTINUE SCHOOL SAFETY STUDY COMMITTEE

To see if the Town will vote to continue the School Safety Study Committee, established by vote of the 1991 Special Town Meeting under Article 10, direct and authorize said Committee to continue the study and evaluation of safe walking routes for Needham School children, to develop and recommend minimum and uniform safety criteria regarding school walking routes, to address the issue of age appropriate walking routes and distances and to generally examine the issue of safe student access to and from their schools, said Committee to report to the next Annual Town Meeting or sooner; or take any other action relative thereto.

MOVED: That the Town vote to continue the School Safety Study Committee, established by vote of the 1991 Special Town Meeting under Article 10, direct and authorize said Committee to continue the study and evaluation of safe walking routes for Needham School children, to develop and recommend minimum and uniform safety criteria regarding school walking routes, to address the issue of age appropriate walking routes and distances and to generally examine the issue of safe student access to and from their schools, said Committee to report to the next Annual Town Meeting or sooner.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 87: CONTINUE SOLID WASTE DISPOSAL/RECYCLING ADVISORY COMMITTEE

To see if the Town will vote to continue the Solid Waste Disposal/Recycling Advisory Committee, established by vote of the 1966 Annual Town Meeting under Article 73 and amended under Article 40 of the 1993 Annual Town Meeting, direct and authorize said Committee to continue to investigate all methods of collection and disposal of solid waste, said Committee to report to the next Annual Town Meeting or sooner; or take any other action relative thereto.

MOVED: That the Town vote to continue the Solid Waste Disposal/Recycling Advisory Committee, established by vote of the 1966 Annual Town Meeting under Article 73 and amended under Article 40 of the 1993 Annual Town Meeting, direct and authorize said Committee to continue to investigate all methods of collection and disposal of solid waste, said Committee to report to the next Annual Town Meeting or sooner.

ACTION: The main motion was presented and carried by majority vote as declared by the Moderator.

ARTICLE 88: was previously withdrawn on May 4, 1998.

ARTICLE 89: CONTINUE THE NEEDHAM GOVERNMENTAL REVIEW STUDY COMMITTEE

To see if the Town will continue the Needham Governmental Review Study Committee established by vote of the 1997 Annual Town Meeting, under Article 71, said committee shall report back to the next Annual Town Meeting or sooner; or take any other action relative thereto.

MOVED: That the Town continue the Needham Governmental Review Study Committee established by vote of the 1997 Annual Town Meeting, under Article 71, said committee shall report back to the next Annual Town Meeting or sooner.

ACTION: The main motion was presented and carried unanimously by voice vote.

ARTICLE 90: OMNIBUS ARTICLE

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town Officer or Committee, to

appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

MOVED: Under Article 90, the following motion was offered by Mr. Frank S. Gallelo: To ask the Moderator to appoint a study committee made up of one (1) member of the Finance Committee, one (1) Solid Waste and Advisory Committee, one (1) Town Meeting Member and two (2) registered voters to study the various means of financing the operations of the Recycling Transfer Station (RTS) and types of rubbish collection that are used at the RTS or available to the town for the collection of rubbish, remembering the recycling concerns of the town and state; Said committee shall report back to the Town Meeting no later than the next Annual Town Meeting or earlier with a report of their recommendations and with the object of the Town Meeting to put at least two (2) of those recommendations before the voters of the town at the next available townwide election; this study committee shall have the support and cooperation of all town officials, departments, boards, administrative offices and committees in making said report.

Mr. Theodore Wiener, resident, addressed this proposal. He stated that the reason the town selected the paper-throw program was "money" - not recycling. This proposal will drive users away and cost more to those who continue to use the RTS. He indicated that the RTS would be a lot cheaper if we all support and make it user friendly.

Mr. Paul Theodore Owens, Selectman, congratulated Mr. Wiener on the work he has done. However, he asked that this proposal be defeated. The Board of Selectmen needed to come up with an additional \$500,000 and decided that the paper-throw method was a viable option.

A motion to amend was offered by Mrs. Lois Sockol to add the following words: ", one (1) from the Needham Taxpayers Association, one (1) by the Board of Selectmen" after the words "one (1) Town Meeting Member".

Mr. John H. Cogswell, Selectman, requested that this motion be rejected and returned to the Board of Selectmen.

A motion to amend was offered by Mr. Frank S. Gallelo to add the following words: ", two (2) members from the Needham Taxpayers Association" after the words "one (1) Town Meeting Member".

After a brief discussion, a motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried unanimously by voice vote.

Mr. Gallelo's motion to amend was presented, but it failed to pass by voice vote.

Mrs. Sockol's motion to amend was presented, but it failed to pass by voice vote.

ACTION: Mr. Gallelo's motion was presented, but it failed to pass by voice vote.

MOVED: Under Article 90, the following Resolution was offered by Mr. John E. Comando: To see if the town will adopt the following resolution or take any other action thereto:

A RESOLUTION ASKING THE SELECTMAN TO WORK WITH STATE LEGISLATORS AND OTHER ORGANIZATIONS TO

CHANGE OR REPEAL SECTION 103 OF CHAPTER 32 OF THE GENERAL LAWS, AS ADDED BY SECTION 8 OF CHAPTER 17 OF THE ACTS OF 1997

RESOLVED: At a time when the Commonwealth of Massachusetts is running a budget surplus, the general court has abdicated its responsibilities to fund cost of living adjustments (COLA) for retirees of the cities and towns. Instead, it has shifted the burden of paying COLAs for municipal government retirees to the cities and towns with SECTION 103 OF CHAPTER 32 OF THE GENERAL LAWS, AS ADDED BY SECTION 8 OF CHAPTER 17 OF THE ACTS OF 1997.

At the same time, the cities and towns of the Commonwealth, working under the restrictions of Proposition 2 ½, find it harder and harder to meet the needs of their citizens for adequate schools, police and fire protection, maintenance of infrastructure, and meeting state and federal mandates.

This law leaves towns with an unpleasant choice, forcing them to accept a burdensome mandate or leave its retirees without protection against inflation.

IT IS FURTHER RESOLVED: Needham has, in good faith, been working to reduce and retire its unfunded pension liabilities. The acceptance of ARTICLE 21 in this year's Town Warrant may make it harder, at some future time, for Needham to honor its commitments to its retirees.

THEREFORE: Town Meeting asks the Selectmen to work with Needham's state representative and state senator, as well as all appropriate organizations including the Suburban Coalition and the Massachusetts Municipal Association, among others, to either change the law to be more favorable to municipalities or repeal the relevant sections of the law in their entirety.

ACTION: The Resolution was presented, but the Moderator was in doubt as to the voice vote. The Resolution was again presented and carried by voice vote.

MOVED: Under Article 90, the following motion was offered by Mr. Gerald R. Browne: That the subject matter of the amendments to Articles 9, that were defeated by vote at this 1998 Town Meeting, be referred to the Planning Board for their review and recommendations to the next Annual Town Meeting or sooner.

Note: the following amendments that were defeated under Article 9 are herewith referenced.

1. Under Section 3.5.3 after the first paragraph, add the terms "substantial or significant portion" in these three sections which shall mean any of the following:

Twenty Percent (20%) or more of the business inventory or stock of merchandise for sale, rental, distribution, or exhibition during any period of time; or

Twenty Percent (20%) or more of the annual number of gross sales, rentals, or other business transactions; or

Twenty Percent (20%) or more of the annual gross business revenue.

4. Under Section 3.5.6, add a new paragraph J as follows:

"If the adult use allows for the showing of films or videos within the premises, the booths in which the films or videos are viewed shall not be closed off by curtains, doors, or screens. All booths must be able to be clearly seen from the center of the establishment.";

6. Under Section 3.5.6, add a new paragraph L, as follows:

"Hours. No establishment providing adults goods or entertainment shall be open between 11:00 P.M. and 7:00 A.M. without permit issued by the Board of Selectmen."

ACTION: Mr. Browne's motion was presented and carried by majority vote.

MOVED: Under Article 90, the following motion was offered by Mrs. Edith B. Martin:

To see if the Town Meeting will vote to establish a committee for the purpose of investigating and correcting the situation that exists on several streets where, because benchmarks may have been moved during street widenings, or other past engineering errors, it is impossible for surveyors now to establish lot lines in agreement with lot lines that homeowners of long standing have always accepted as true lot lines as indicated by markers, fences, walls, hedges or other plantings, or any other means of delineation. The Committee shall be comprised as follows: 2 members of the Needham Taxpayers Association, 1 appointed by the Selectmen, 1 appointed by the Moderator, and the Town Engineer.

The Moderator read the following statement prepared by Edith B. Martin regarding this motion.

"There is a situation which exists on a number of streets, Newell Avenue being just one, which bodes fair to cause some of our homeowners great trouble. Surveyors trying to establish lot lines in keeping with those which, from the time our homes were built back in the '30's, the homeowners have accepted as being the 'real' boundaries of their lots. This has never been a genuine problem until now - home buyers would look at the house, tour around the yard and if they liked what they saw, they bought. Back when we bought our house, we didn't even get a plot plan such as banks now require. The first real problem arose when, preparing to make an addition to the house at 31, the owner hired a surveyor who could not establish the lot lines as being where they should be. After having problems with the powers that be in town government, he was finally allowed to proceed but had to adhere to the width as the original house, and not one inch wider.

More recently the house at #11 fell victim to the tear down boys, and is being replaced by a much more imposing edifice. In order to cram in as much house as possible, the builder submitted a plot plan showing the house at 10 Ft. from the lot line, as per the surveyor, but that places the lot line in the middle of the driveway of #17. Obviously confounded the surveyor had continued down the street for three or four more houses and indicated that the line between #17 and our house at #21 goes right through the middle of our gate in the backyard fence.

Some years ago I had a conversation with Frank Cheney, one time Town Engineer who was familiar with the situation, and he told me it was the Town's fault, and the Town should fix it.

#17 is owned by a widow who raised 5 children on a fireman's pension. He died young as a result of some inhalation while fighting a fire. Down the street we have another widow whose

husband worked faithfully for the Town of Needham, but never got to retire. Next to her is an unmarried school teacher. My husband and I are retired, and frankly not doing well. Our plan was to retire to Maine, but when he developed Angina and I got cancer, we kept putting it off in order to stay near our doctors and keep our Medex insurance. We do not have the sort of funds needed for hiring surveyors to prepare plot plans for Land Court. But what if the people who buy the new grandiose #11 decide they want to run a fence up the driveway of #17.

Unfortunately, young people today are not the starry-eyed home-buyers of the Depression generation. They have big expectations and deep pockets, but they expect every inch the deed and the plot plan say is their, even if forty years of custom says it isn't so."

A motion to amend was offered by Mr. Michael T. Vaughn to strike the words "2 Needham Taxpayers" and insert in place thereof the words "2 Needham residents".

Mr. David S. Tobin, Town Counsel, explained that the town has received similar reports in the past and that these are private matters.

Mrs. Martin explained that she brought this before Town Meeting when Newell Avenue residents had lost 4 feet.

After a brief discussion, a motion to move the previous question was offered by Mr. John F. Milligan. The motion was presented and carried unanimously by voice vote.

Mr. Vaughn's amendment was presented, but the moderator was in doubt as to the voice vote. The motion was again presented and carried by voice vote.

ACTION: Mrs. Martin's motion, as amended was presented, but it failed to pass by voice vote.

At this time, the Moderator expressed his thanks to the individuals and committees who worked diligently to ensure that this 1998 Annual Town Meeting run smoothly - Cablevision staff, Steve Tedeschi, the Pollard School staff, the volunteers, the Board of Selectmen, other town bodies, and the Town Clerk. Mr. Fee also expressed his appreciation to Thomas H. Hannigan, Jr., Finance Committee member who has completed his term, and to William J. Miles, Personnel Board member also completing his term.

MOVED: Under Article 90, the following Resolution was offered by John H. Cogswell:

In Memory of Charles Wales Wyckoff
February 6, 1916 - May 9, 1998

WHEREAS,

Charles W. Wyckoff, Sr. was born February 6, 1916 in Cleveland, Ohio, the son of Dr. Chauncey Whitter and Florence Wales Wyckoff. He attended the University School in Cleveland and entered Dartmouth College graduating in 1938. He attended the Massachusetts Institute of Technology specializing his studies in the development of high speed cameras and films; and

WHEREAS,

In 1946, Charles Wyckoff settled in Needham with his wife Helen and raised their two

daughters and son; and

WHEREAS, Charles Wyckoff is remembered as a scientist and technological genius who has left his impact on world history through the development of photographic equipment and his ability to provide photographs of some of the most significant historical events in the twentieth century; and

WHEREAS, Charles Wyckoff had more than 20 patents to his credit and was the recipient of the Medal of Honor from the Academy of Applied Science; and

WHEREAS, Charles Wyckoff's photographic expertise led him to Scotland and a search for the Loch Ness monster, most recently for a PBS NOVA series; and

WHEREAS, Charles Wyckoff was also an active member of the community, elected as a Town Meeting Member for 27 years, appointed to the Personnel Board, and committed to the education of the youth of Needham as witnessed by his service of 12 years on the School Committee; and

WHEREAS, Charles Wyckoff was indeed a man committed to ideals, to his family, to his community and to his country.

NOW THEREFORE BE IT RESOLVED by this body that the 1998 Annual Town Meeting be adjourned and dissolved in honor of the numerous accomplishments of Charles Wales Wyckoff.

ACTION: At 11:50 P.M. the Resolution was presented and carried unanimously by voice vote.

Theodora K. Eaton, CMC/AAE,
Town Clerk

a true copy
ATTEST:

